



Presented by W. H. Haines to
The Library of The Faculty of
Advocates. J. Haines.

18. 12. Oct. 1830.



Lazaro sculp

*Effigies Nobilissimi Domini Joannis Rothesiæ Comitis
Domini leslei et cort. quam ad vivum depinxit
G. Jamsonus Abredonensis Anno 1625
Ætatis 25.*

Letter from The Earl of Rothes to one
of the Lords of the Privy Council.

My Lord

Being occasioned to meet wth my Lord Burgly who
told me He had written to your L^{ts} about this
sermons book, some are charged to accept it, who will
put in their petitions before your L^{ts} the next
Council, & we must all join to intreat your L^{ts}
help to keep back such an unfound piece of work
I will not trouble your L^{ts} here, hoping my Lord
Burgly will inform your L^{ts} not long, only
consider that so things in it your L^{ts} will be
unwilling to hear or practise, & so for your self
& us all, but more for gods honour do that
which may make us joy in our interest to be

Your L^{ts} friend &
servant,

Rothes



A RELATION
OF
PROCEEDINGS CONCERNING
THE AFFAIRS OF THE KIRK
OF SCOTLAND,
FROM AUGUST 1637 TO JULY 1638.
BY JOHN EARL OF ROTHES.



EDINBURGH: PRINTED M.DCCC.XXX.

TO
SIR WALTER SCOTT, BARONET,
PRESIDENT,
THOMAS THOMSON, ESQUIRE,
VICE-PRESIDENT,
AND THE OTHER MEMBERS
OF
THE BANNATYNE CLUB,
THIS VOLUME
IS PRESENTED
BY
JAMES NAIRNE.

AUGUST, M.DCCC.XXX.

THE BANNATYNE CLUB.

JUNE, M.DCCC.XXX.

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EARL SPENCER, K.G.
JOHN SPOTTISWOODE, ESQ.
90 THE MARQUIS OF STAFFORD, K.G.
MAJOR-GENERAL STRATON.
SIR JOHN ARCHIBALD STEWART, BART.
THE HON. CHARLES FRANCIS STUART.
ALEXANDER THOMSON, ESQ.
95 THOMAS THOMSON, ESQ. [VICE-PRESIDENT]
W. C. TREVELYAN, ESQ.
PATRICK FRASER TYTLER, ESQ.
ADAM URQUHART, ESQ.
RIGHT HON. SIR GEORGE WARRENDER, BART.
100 THE VENERABLE ARCHDEACON WRANGHAM.
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NOTICE.

I VENTURE to hope that the Work which I have the honour to present, as my contribution to the Club, may be generally acceptable to its Members. It embraces a short, but very interesting and eventful period of Scottish History; and the conspicuous part which its noble Author performed in the public affairs of the kingdom, by which he was enabled to observe all the “private and confidential passages” of the transactions of the time, entitles the following narrative to be regarded as a source of genuine and authentic information. In its manuscript state, the Earl of Rothes’ Relation has been referred to by several Historians;—in particular, by Mr. Malcolm Laing, in his History of Scotland, by Mr. George Brodie, in his History of the British Empire,¹ and by my accomplished relation and much-valued friend, Dr. Cook, in his History of the Church of Scotland.

Of the noble Author it would not become me to say much. His life is, indeed, matter of history. But I may be permitted to observe, that his Lordship was the fifth Earl,² and was born in 1600; served heir to his grandfather, Earl Andrew, in 1621, and was the father of John, the sixth Earl, who, in 1667, was promoted to the office of Lord High Chan-

¹ Laing and Brodie quote it under the title of “Historical Relation, MS.”

² Crawford and Douglas, in their Peerages, have reckoned our Author as sixth Earl of Rothes. But according to Mr. Wood, in his edition of Douglas’ Peerage, this computation is inaccurate; for he has shown that William, brother of George, the second Earl of Rothes, never enjoyed the title, as these writers had supposed. This appears from a charter in the year 1517, in favour of George, then Earl of Rothes, wherein he is designated as “son of the deceased William Lesley, and heir of the deceased George Earl of Rothes, his uncle.” Both brothers (the uncle and father of George, third Earl) are said to have fallen at Flodden.

cellor of Scotland "*for life*," and on 29th May, 1680, was created, by patent, "Duke of Rothes, Marquis of Ballinbreich, Earl of Leslie, Viscount " of Lugtown, Lord Auchmutie and Caskieberry."

According to the Peerage,¹ the Author "was a nobleman of popular " talents and persuasive eloquence, fertile in expedients, but of a disposition " prone to levity and addicted to pleasure. He was one of the leaders of the " opposition to the measures of Charles I. in the Parliament 1633, when he " asserted that the votes were erroneously reported, *and he warmly embraced " the Covenant.*" He married Lady Anne Erskine, second daughter of John Earl of Mar, who predeceased him.² They had an only son (the Duke) and two daughters, the elder of whom, Lady Margaret, was successively, Lady Balgonie, Countess of Buccleuch, and Countess of Wemyss, and had issue by all her husbands. Lady Mary,³ the younger daughter, married Lord Montgomery, afterwards Earl of Eglinton, and also had issue.

Of Lord Rothes' History the original manuscript is not known to be preserved; but one which has been described as such, along with four other manuscript copies of it, have been used in preparing this work for the press. A brief description of these manuscripts will be found in the Appendix; and I am gratified in having it in my power to express my obligations to the Curators of the Advocates' Library for the free use of four of these manuscripts. The fifth, which was communicated by my much-respected friend, the learned Vice-President of the Club, is now also deposited in the same Library. I have likewise pleasure in stating how much I am indebted to my friend, Mr. D. Laing, Secretary of the Club, for the great care with which he has collated the various manuscripts, and for his kind-

¹ Mr. Wood's second edition (Edin. 1813) of Douglas' Peerage, vol. II. p. 431.

² Anne, Countess of Rothes, died 2d May, 1640. Sir James Balfour states that she died of a hectic fever, and was interred in the new aisle of Leslie church, on 25th May, without any funeral ceremony. Annals, vol. II. 427.

³ Crawford, in his Peerage, names the lady "Mary" on p. 131, and "Christian" on p. 430.

ness in relieving me of the details of the publication, for which my professional avocations ill fitted me.

To the Secretary, also, I am indebted for the articles and notes which form the Appendix, with the exception of the communication contained in it, which I owe to Mr. Madden of the British Museum, for whose attentions in directing and aiding my researches in that Institution, I feel grateful.

Desirous to adorn my volume with a Portrait of the Author, I directed my enquiries with that view in various quarters; and I am proud to acknowledge the readiness with which the Earl of Breadalbane acceded to my request, made through the medium of my friend Mr. Charles Baillie, (Mellerstain,) for the use of a Portrait, in his Lordship's Collection at Taymouth Castle. As this Portrait, however, from its date, was supposed to be the likeness of John, afterwards Duke of Rothes, mentioned by Pennant,¹ my attention was next directed to Leslie House; and for the purpose of inspecting the family Portraits there, I was kindly accompanied by the Secretary. We were fortunate enough to find, in that large collection, at least two genuine portraits of the Author. One of these, a full length, in antique dress, according to the inscription, was painted by Jamesone in 1625, when his Lordship was twenty-five years of age—undoubtedly a curious picture; and there is a companion to it of his lady, Anne, Countess of Rothes, and two of their children; but these pictures unfortunately have been much injured, probably at the time when the house was destroyed by fire in 1763,² as pictures of so large a size would not be easily removed. The second Portrait, which may also have been painted by Jamesone,³ is in

¹ Pennant's Tour, vol. II. p. 30, 4to edit.

² Burnt down on 28th December, 1763, and repaired in 1767. Statistical Account of Scotland, vol. VI. p. 53.

³ The Earl of Rothes may be considered as one of the patrons of Jamesone, who, in his Last Will, written with his own hand in July 1641, bequeathed to his Lordship "the King's picture " from head to foot; and Mary with Martha in one piece." Jamesone, however, survived his Lordship for a period of about three years, as he died in 1644. Walpole's Anecdotes of Painting, by Dallaway, vol. II. p. 250.

better preservation, and a more pleasing likeness, and probably represents his Lordship in the year when he died. But we preferred the earlier Portrait, as, on examining the other, we observed these initials, which might appear to throw some doubt on its genuineness, as his Lordship certainly died before September 1641, aged 41.¹ But from whatever cause such a singular mistake might have arisen, (as the letters appear to be of the same age with the picture,) there is too great a resemblance between this and the full-length portrait, to leave any serious doubt as to the person represented.² A miniature portrait of the Author was also shown to us, as bearing some resemblance to the one dated 1642, but without any mark or name to identify it, or from which the date of its execution might be ascertained.

Having obtained the permission of Lady Mary Leslie to copy the full-length picture, (and to her Ladyship's affability and kindness we were much indebted while examining the extensive and interesting series of family pictures preserved in Leslie House,) I sent over a Portrait-Painter, from whose copy the Engraving prefixed to the volume has been made.

I owe it to myself to add, that I went to press within a week of my admission as a Member of the Club, and that the great delay in the publication of my volume has been occasioned by circumstances over which I had not any control.

J. N.

PICARDY PLACE,
August, 1830.

¹ See the Notes No. IV. in the Appendix.—On the opposite page is given a fac-simile of an original letter of the Earl of Rothes, which has been printed in the Notes. In the Appendix, also, are given fac-simile signatures of the principal persons mentioned in the course of the Work.

² There is a tradition in the family, that one of the portraits was posthumous; and it is not improbable that the portrait at Taymouth Castle, which also bears the date of 1642, may be the counterpart of this picture of our Author, and not that of his son, the Duke of Rothes, as at first supposed.

A TRUE RELATIONE OF THE PROCEEDINGS
OF THESE MATTERS WHICH CONCERNE
THE KIRK OF SCOTLAND, FRA
THE FIRST OF AUGUST
MDCXXXVII.

HEIR FOLLOWES ANE HISTORICALL INFORMATIOUNE OF THESE
PROCEEDINGS TO THE 21ST DECEMBER 1637, WHICH WAS DIVUL-
GED; WHEREWITH AR INSERTED SOME PRIVATE PASSAGES WHICH
AR NOT IN THE INFORMATIOUNE, BOT PUT IN FOR THE OWNERS
PRIVATE USE.

SINCE the re-entering of Bischops in this kingdome, they have still ne-
glected the observatiounes of the caveats and conditions taken of them by the
Generall Assemblie, which they purposlie omitted out of their Ratificatioun
in Parliament; and haveing encroatched so by degrees, as they have obtained
ane uncontrollable dominione over the church, by censuring at their ple-
four in judicatories not allowed by the lawes of this state, and being compt-
able to no other judicatories bot Generall Assemblies, which they have al-
wayes corrupted or suppressed, or any appeal from them allowed to the sub-
jects grieved; yit did they exercise this power somewhat sparinglie (altho
by encreasing degrees), onlie in sum few persones and single constitutions.
This doeing by piece meale did make the same more comfortable to the
subjects (altho' they had sum difficult patience to endure these intermitted
blasts), till they lowfed the flood of illegall violence, to overflow the truth

of religione and liberties of the subjects ; first, by printing and setting forth the Book of Canons and Constitutions for the government of this Kirk, a fitt preface for the Book of Comone Prayer, (promiseing the same, and appoynting none to speake against it), which, following efter, was composed by the knowledge of bishops, and commandit by his Majesteis letter (18 October 1636) to be practised through the kingdome, as the onlie forme of Gods publict worship, and that, upone the counsell of the bishops, called the clergie. Heirupone followed a Proclamatione, the 20 October, 1636, for the establishing of it, and the buying of two for the use of ilk parochie by the ministers therof, under the payne of horneing. Sum of the framers of this popisch book and their followers had assayed the myndes of the people by many unfound sermons, by poynts of divinitie taught in the schoolls for infecting the youth, by fals tenets in the ordinarie discours, and cherrishing and preferring such as followed that course, opposing and dishartning such as wes repute fitt for places in the church for learning and pietie. The patient tolleracione of all these made them apprehend their project ryper then it proved, and not to think on the least oppositione, especiallie haveing obtained the authoritie of the Counsell for the practise of the said book, thoghe that meiting of Counsell was rare and chosen expresse for the purpose, ilk one begining to repyne, and apprehend the greatnes of that change to be scarce comortable. This book, long keipit up in misterie, begane to be discovered als soon as published and put to seall. The Bishops, not yit apprehending how much the people abhorred poperie, did enjoyne the practise of the book in their severall synods ; and the Bishop of Edinburgh (who had given to some of his ministers whill the next synod to examine it) did resolve, within a fortnight thereafter [the first practise] of this new peice of episcopall begetting, by himsele, in the great church of Edinburgh (the principall citie in this land), on the 23 July last. The lyke was intendit in other churches in that toun, efter publict intimatione (yit without a publict determinatione of any particular day for practise) by the ministers on the Sabbath preceding. These people, formerlie patient under all uther new devyces that wer brought in by degrees, wer unable to bear at ane instant so great a

The Kings
letter, 18
October,
1636.

Proclama-
tione, 20
October.

23 July,
1637.

change as appeired, in the mater, to those of best understanding, and, in the maner and forme, to the weakest, even to change the whole externall frame of Gods publict worship formerlie practised. This alteratione of religione appearing so sensible to the hearts, eyes and ears, (the greatest cause under heaven of discontent,) the unwarrantable introductione thereof, and superstitious mater contained therein, the fear that their own lawfull service once dispossessed wold hardlie be repossessed, and that new illegall service being permitted to take footing and possessione it wold hardlie be removed, and the means of remedie seeming to be closed up from the Magistrats who had consented, from the Bischops who wer repute authors, from his Majestie, by whose authoritie abused it was imposed, and betuixt whose favour and them stood a great many misinformers, whose conditione preferred them to better hearing and trust, made sum out of zeall, sum out of grieffe, and sum from astonishment at such a change, vent their words and cryes, that stayed the said service to be red that forenoon. Sum Bischops and Ministers, efter the ordinarie time of divyne service in the efternoon, returneing privatlie, and with closed doores intending the practise therof, as it wer by possessione to give lyfe and being to that unlawfull service, provoked a number of the Commons (who believed that Service to be Masse, which they had alwayes bein taught by the lawes of the countrey and sermons of their pastors formerlie to distaste and resist) to cry out, and, it is alledged, to throw stones at the Bischops. Bot when, for the tryall therof, the Magistrats of the toun, the Bischops themselves, and the Lords of the Secret Counsell, conforme to their Proclamacione at Edinburgh, 24 July, 1637, (wherin the Bischops procured the paine of death, without all favour or mercie, to be denounced against all those who fall any wayes rail or speak against any of the Bischops, or any of the inferior clergie, or against this Service-book) had taken great paines, keiped many dyets, and examined all parties suspected, they could find no relevant probacione therof; so that the Magistrats of the toun wer permitted by the Counsell, upone the Bischops warrand, to set at libertie sundrie persons, whome they upon suspitione had imprisoned. On the same day, the Ministers and reiders of Edin-

Proclamatione, 24 July.

burgh, who denyed to use this book, wer discharged their wonted service ; and the publick morneing and evening prayers, reiding of scripturs, [and] finging of psalmes wer interdyted for a long tyme.

The Bischops called befor them Mr. Andrew Ramsay and Mr. Harie Rollok, tuo of the speciall Ministers of the toun, who refused to reid the book, and they silenced them ; also did inhibit the ordinarie morning and evening prayers customable in Edinburgh since the Reformatione (which was the Bischop of Ross' motion) ; and deposed the ordinarie reader in the great kirk, Mr. Patrick Henderfone, who hath bein ther these many yeirs. Altho this was refused in Edinburgh, yit did fundrie Bischops establishe it at their speciall residence and cathedralls, as the Bischop of Ross in the Chanrie, Brichen at the kirk of Brichen, Dumblane at Dumblane. It was not fullie practised at St. Andrewes ; onlie a few of the prayers wer red by the Archdeacon, and, haveing no assistance, left the same, efter a months practise of a pairt of it onlie. The minister of Brichen, Mr. Alexander Bisset, wold not practise it ; bot the Bischop red it by his owne servant. At Dumblane, the ordinarie minister, Mr. Peerfone, a corrupt worldling, red it ; and being enjoyned by the Bischop to reid it thrie Sabbothis without preaching, and preached the fourt, which the said minister practised a whyll ; that being a tenet held and vented by the bishops these five or six years past, that there was too much preaching in the land, and people did bot loath it when it was too frequent : Yitt the said Peerfone, efter consideratione of the general dislyk of the Service-book, at a meitting of the finall barrons of Stratherne, did subscribe the Supplicatione against the Service-book, as laird of Kippenross, which he had practised as minister of Dumblane. At Chanrie it was red by one appoynted by the Bischop. And except these places, it was not entered nor practised in no place in Scotland ; except Doctor Scrimgour at St. Phillens red it, and nether being dexterous, nor having any to assist him, as it begane to be discountenanced, he dishaunted it. Also in Dingwall in Ross, be one Mr. Murdo M'Kenzie, under censure for divers haynous and fould crimes, [who] practised the same, to obtain remission of his offences. Certane prayers therof wer also red in the New Colledge

Service-
book red in
itum places.

at St. Andrewes, sum of these that ar not of themselves corrupt, thogh joyned with the rest ; and this obedience given by that fearfull man Doctor Howie, who hath fallen back from the trewth of his first professione. The gift of printing and felling the said books was obtained by the Bischop [of] Ross. The same was gainstood, and was thocht fitt each bishop should have the buying of such as served their owne diocesis.

On the 13 June last the Bischops had obtained ane other Act of Counsell, ordaining all the Ministers in the kingdome to buy two of the saids [Service-] books for the use of their paroches, under the payne of horneing, upone a false narratione that the learndest and foundest ministers had embraced the same, and sum only refused out of curiositie and singularitie. Sum ministers in Fyffe, and in the West, about the 10 August, wer charged to buy the saids books. These in the countrey, who had been formerlie quiet till they wer picked out by persuite, did forbear to appear in any multitudes.

Act of Counsell for the Service-book, 13 June.

Bot the Ministers charged did appear in Counsell the 23 August following, wher they gave in a Supplicatione to the Lords of Counsell for a suspensione ; becaus this said book wanted the warrand of the Generall Assemblie, the representative Kirk of this kingdome, which hath onlie power, and was ever in use to give directione in maters of Gods worship ; and wanted the warrand of Parliament, which hath bein ever thocht necessar in such caices ; becaus the liberties of the Kirk of Scotland, and forme of worship receaved at the Reformatione, ar established in Generall Assemblies and ratified in Parliament, and in continuall possessione since ; and becaus the book inforced departeth from the worship and reformatione of this Kirk, and in poynts most materiall doeth draw neir to the Kirk of Rome, which, in supperfitioun, heresie, idolatrie, tirranny, is als Antichristiane now as ever scho was ; with a great many moe reasons. They gave informatione to the Counsell, schewing that book destroyed both doctrine and discipline established in the church in fundrie poynts. Ane number of letters wer written by noblemen and gentlemen (to whose knowledge the reasons of that fear reached) to the Lords of Counsell, wherin they remonstrate both the evils in the book, and the illegal introductione therof, believing that advertise-

Supplicatione of Ministers, 23 August.

Act of Coun-
sell, 25 Au-
gust, anent
buying the
Service-
book.
Counsell's
letter to
the King.

ment should have been sufficient to have procured the suppressing thereof. The Lords of Counsell, the 25 August, made an Act, declaring the saids letters of horning to extend allendarlie to the buying of the books, and no further; and did writ ane letter to his Majestie, shewing their willingnes to have given their concurrence to the Lords of Clergie for establishing the Service-book; that notwithstanding of the tumult occasioned by the rascall people, they were hopfull to have brought it to practise, but were, at meeting of the Counsell, August 23, far by their expectatione, surprysed with the clamors and fears of many subjects from divers corners of the kingdome, even those who formerly had lived obedient to the lawes, both civil and ecclesiasticall; that they found this to be a matter of so heigh importance, as they durst neither conceale it from his Majestie, neither dye further in the cause of these fears nor remedies thereof, till his Majestie should preserve the way, after heiring particulars, either by calling sum of the Counsell Clergie and Laytie to his presence, for taking course to pacifie the present commotione, and establish the book, or urtherways by such other means as his Majestie out of his great judgement should think fitt; and that they had appoynted the 20 September for attending his Majesties answer.

Sum and
substance
of Noble-
mens let-
ters to
Coun-
sellors.

The letters written by the noblemen and gentlemen to the Counsellors, 20 August, signified the generall regraite of these books, which was introduced without consent of the Church, which was the Generall Assemblie or Parliament; expressing the manifold errors in the book, which did quyt subvert both the doctrine and discipline of that professione we had received and long practised, and which was allowed by the lawes of the kirk and state, and ratified by his Majesties Father and himself in severall Parliaments; desyreing the Counsell might stay any further enjoyneing thereof, or any executione upone the charges given to ministers to buy it and use it, till their Lordships should receive further informatione wherby they might judge of the book, and be able to informe his Majestie; expressing, if they took not this course, all would generallie refuse it, and numeroullie and confusedlie petitione his Majestie, breid a generall exclamatione and suspitione of the Counsell's cair, and diminish the peoples respect to his Majestie, which should be cair-

fullie cherrished. The Lords of Counsell receaveing the letters, and being solicited by the said ministers that were cited, and sum noblemen present in towne, the Bischops wold gladlie passed by the said petitions, being remembred be sum. The Chancellor told, ther was onlie sum few ministers and tuo or thrie Fyffe gentlemen in toune, and what neidit all that sturr? Sum of the noblemen (Southesk) told, that if all ther pockets wer weill ryped, it wold be found that a great many of the best of the countrey resented these maters. Wheron the Chancellor wold onlie have looked sum of the petitions that wer worst exprest; bot Roxburgh named St. Andrewes presbitrie to be red also, which spoke most freilie. And the Counsell thinking the mater of great importance and much taken to heart, did cleir the former Proclamatioun, and writ to his Majestie.

At this appoynted meiting of the Counsell, the rumor that the Duik of Lennox (who was occasionally present, in his returne from Passie towards court) had commissioun from his Majestie to establissh the Service-book, and the great discontent that thrie or four Bischops and ministers (after such considerable advertisement given to the Counsell,) had begune the practise of the book in sum churches, did move sum 20 Noblemen, and a great many of the gentrie nearest adjacent, with about four or five scoir of ministers, and certane burrowes, to resort to Edinburgh. This whole number drew a Supplication, and did present the same to the Lords of Counsell; the tennor wherof is heirto annexed. This Supplication the saids Lords received. They also received the answer of their Letter to his Majestie the 25 August, the which did shew some discontent at the propositions of their coming up; bot did appoynt a sufficient number of the Counsell to attend at Edinburgh dureing the vacatione tyme, for settling the Service-book; schew discontent, both at the Counsell and Citie of Edinburgh that suffered it to goe out of practise after the first Sunday it was red, and that delinquents who wer accessorie to the tumult that day wer not censured; appointed each Bischop to caus reid it in his diocies, as the Bischop of Ross and Dumblane had done in theirs alreddie. The said day the Lords of Counsell made ane Act, appoynting seven of their number to attend constantlie

20 September.

Supplication of Noblemen.

The Kings letter to the Counsell.

Act of Counsell.

during the vacation tyme, the Chanceler and Thesaurer being alwayes on ; supperceiding answer to the Supplicatione given in by the Noblemen, till his Majestie, after due consideratione, sould signifie his gracious pleasure, wherwith the Petitioners sould be acquainted tymoullie. Intimatione was maid heirof judicallie to the Earles of Sutherland and Weymes, in name of the rest of the Petitioners. And the Petitione from the noblemen, &c. with other two petitions, and ane list of 66 more, (which wer delyverit to the Counsell that day,) wer sent with the Duke of Lennox to his Majestie from the Counsell, desyreing him, as ane eare and eye witnes, to represent the state of the busines. The saids Lords gave answer also to his Majesteis letter forsaide, daittit the 10 September, and received the 20 ; promising their dilligence for establisching the Service-book ; schewing the numerous confluence of all degrees and ranks of persons, humbly supplicating for opposing the receptance of the Service-book, as by sixty-eight Petitions, with one in name of the Nobilitie, which may cleirly appear ; one wherof is from the exercise of Auchterairder, in the dyocie of Dumblaine : all resolving in one alledgance, that the Service-book enjoyned is against the religione presentlie profest ; that it is unorderly broght in, without the knowledge of Parliament or Generall Assemblie ; that it is disconforme to the service used in England ; which the Petitioners undertook to qualifie.

Counsell's
letter to the
King.

Names of
Noblemen
Supplicants.

Ther wer present at this meiting, of the nobilitie, Sutherland, Rothies, Cassells, Home, Louthiane, Kinnoull, Weymes, Dalhousie, Lords Montgomerie, Fleeming, Lyndesay, Elcho, Yester, Sinclair, London, Balmerinoch, Burley, Dalziel, Cranstone, Boyd ; with a great many barrons, speciallie out of Fyff, none almost being absent : and the West pairt sent all commissiouners, some out of each presbitrie, divers out of other places, few out of Angus, above 80 or neer 100 ministers, the whole presbitrie of Stirling being present, and had avowed never to receive that book, except one or tuo ; also some of them befor had not been adverse to the Articles of Perth. Many who had formerly given way, and practised these, begane now to distaste them, and suspect the former course was bot a preparatione to this, as this book is for poperie it selfe. All the noblemen met at my Lord Weymes lodging, in one

Aikman's, wher they resolved to draw a Petition for the Counsell; 2. To attend the Duke of Lennox, be ranking themselves over against the entrie to the Tolbooth, and to attend him; 3. Particularlie to speak to him, such as had any interest or acquaintance, for being a good instrument betuixt his Majestie and his faithfull subjects in this countrie. When the Duke came up the way, the ministers wer all ranked betuixt the Croce and the Lukinbooths, on the south side of the gait; the nobilitie and gentrie all ranked on the north side, over against the said Lukinbooths, even till they reached up forgainst the stinking styll, saluteing the Duke very low. They attendit all the forenoone, giving in their Petition; bot gott no hearing, the Counsell coming out at twelve a-cloak. The Duke went to dinner in the Abbay. The Petitione given in was againe reteired from the clerk, not being touched nor red; and was by the Earle of Rothes caried downe to the Thesaurer to look on it, who drew a great deall of it, which requyred Bischops to concurr with the petitioners in the Remonstrance to his Majestie, and made it very sinoothe. He wold not advyse us to irritate any; wherupone it was of new drawne, according to the copie writ in the book, marked "Given the 20 September." The Thesaurer came up the way without the Duke, at half thrie efternoone, the noblemen, ministrie, and gentrie being in that same order they keipit befor noon, and waiting upon the Thesaurer into the Counsell hous. He reteired with the Chancellor, uther bishops, and uther counsellars, into the banqueting hous, within the Counsell house, wher they staid ane hour and ane halfe; sent for the Duke, who coming, they ushed the hous. The Earle of Sutherland presented the Supplication to the clerk, and desyred it might be red. The noblemen reteiring to the Laich hous, wher the Justice sits, awaited the Counsell's answer; who delaying till immediatlie befor their ryng, called in Sutherland and Weymes, and told, the Counsell had taken their Petitione to consideratione, and sould recommend it, and send it to his Majestie with my Lord Duke, who could trulie declair everie thing. These two noblemen coming backe to the rest, and declairing this answer, the rest of the noblemen desyred them to returne to the Counsell, and intreat they might be

Gentrie and
ministers
ranked at
the Dukes
coming up
the way.

Supplication
mendit.

advertised at the returne of his Majesties answer ; nixt, that no novatione could be pressed any wher untill the returne of his Majesties answer : Bot the Counsell had risen befor they could returne, who had determined to send the generall Petitione from the whole above written, with tuo or thrie other such.

Roths conferred with the Chancellor ;

The Earl of Rothes, before he parted, went to see the Chancellor ; who falling in discourse of the book, disapproved the same, as unorderlie brought in and unfound. The Chancellor denyed it was unfound, and desyred ane instance. He instanced, anent the Communione, and anent Baptisme, wher it declairs Infants baptized to be regenerat. The Chancellor alleadgit it was worfe interpret then was reason ; and, laughing, said, the Bischop of Dary, in Ireland, had received one from him, who declaired himself greived that Scotland should have prevented England in such a work ; and that the Prince Tutor had commendit it ; both declaireing ther was not such a Liturgie since the first 600 yeirs efter Christ. Rothes told, that Dary was repute the most unfound man in Ireland, a great Arminiane, as the Prince Tutor was thocht in England ; and that it was the worfe of any of their testimonies, or the Bischop of Canterburies. Wherupone he laughed, caring litle of the caus of just griefe was in the land, and said, What neidit this resistance ? If the King wold turne papist, we behoved to obey : Who could resist Princes ? When King Edward was a protestant, and made ane reformatione, Queen Mary changed it ; and Queen Elizabeth altered it againe ; and so ther was no resisting of princes ; and ther was no Kirk without troubles. Rothes said, They gott it soon changed in England : the tuo professions wer neir equally divydit ; bot ther was few heir to concurr to such a change, all being reformed, and wold never yield : Nixt, the reformatione of England was not so full as that of Scotland, and had not so much law for it : It was bot halfe reformed. And so speaking bot flightlie of these maters, they fundered. The Earle of Rothes being in the Dukes lodging that morning the Duke departed, and taking occasione to tell a jest, wherin one had forgiven another and desyred fair play in tymes comeing, he desyred the book might be abolisched and fair play in tymes

coming. The Bifchop of Edinburgh faid, it was miftaken, and was not fo ill as it was called, and afked what was the faults he found in it. He told, if he had the book he wold demonftrate many ; bot remembered one anent the Communion, that it had rejected that expreffione ufed by all reformed kirks, which fhew Chrifts prefence to be sacramentall, and had affumed that expreffione only contained in the Miffall of Salfburie, wherin the papifticall error ftands : wheron the Bifchop faid, it was no tyme to reafone.

The Committie of Counfellers apoynted for eftablifching the Service-book did endeavor the fame by all means ; notwithstanding that, firft by privat letters, nixt by publie petitions and informations of fo many of the nobilitie, gentrie, miniftrie and burrowes, they were advertifed of the unfoundnes and illegall introductione therof ; which did extreamlie grieve not only the bodie of the Toun, and the whole inhabitants attendants upone the Seflione, and uther ordinarie residents ther for their lafull affairs : bot alfo moft of the nobilitie, gentrie and other burrowes of the land, finding that if their owne lafull fervice once difpoffeffed, it wold be hardlie repoffeffed ther ; and if that popifh fervice fould get once footing or poffeffione ther, it could be the more hardlie removed, and wold nixt be forced upone other burghes, and fo by degrees upone the whole countrie. This made all to cry out and except againft Edinburgh ; [and] diftractione begane to increafe in that citie, becaus the Magiftrats had never fhewne their diflyke of that book, as the reft of the countrie. Efter the firft refiftance of the fame, the Magiftrats did writ a letter to my Lord Stirling, fhewing, they wer bot rafcals who [had] oppofed ; and as for them, as they have bein always obfequious, fo wold they ftill be in this or any fervice his Majeftie wold recommend them. Nixt, at a meitting with the Thefaurer and fome bifchops, they had offered increafe of mantainance to their fecond minifters for reading of the book ; and upone the minifters refuifall, did writ to the Bifchop of Canturburie, fhewing their willingnes to offer good means above their power to fuch as wold undertake the fervice, and giving affurance of obedience on their part in this purpofe, or in any other purpofe wherin they might contribute to advancement of his Majefteis fervice ; promifing to account it ane accu-

and with the
Bifchop of
Edinburgh.

The Toun of
Edinburghs
letter to my
Lord Stir-
ling ;

and to the
Bifchop of
Canterburie.

mulatione of favours, if his Majestie, by the Archbischops means, should be pleased to rest assured of their obedience. For the which assurance of their obedience, and their offer to undergoe the charges to their second ministers, the Archbischop of Canterburie, in his answer to their former letter, doeth thank them heartilie, both in his Majesties name and in his owne. So the said offer and these two letters appearing, to signifie the Magistrats consent to the Service-book, begat great occasione of suspitione of them; yit, by the importunitie of the whole body and inhabitants of the toun, concurring all in one minde and one voyce that they could never receive the Service-book, and many powerfull informationes from the countrie, the said Magistrats begane to find it necessar, for the good of religione and peace of the countrie, and weillfare of the toun, to petitione against the said book. Wherupon, in the name of the Toun, they gave in to the Committie of Counsell ane Supplicatione, humble craving they might be in lyk caise with the rest of the kingdome, and the Service-book not to be pressed on them untill the Kings answer wer returned. Which Supplicatione (after that the narrative therof was mendit by the Archbischop of St. Andrewes, who wold not suffer the ministerie to be called the Clergie, as ane name, onlie proper and reciprocall to Bischops) the Committie did accept it, and promised to send it up to his Majestie, and report his answer againe the 17 October. Wherupone the Magistrats of Edinburgh, in the answer to the Bischop of Canterburies letter, shew, that wheras they had written of befor anent the Service-book, the dutifull and obedient resolutions, not onlie in themselves, bot in the greatest and best part of the inhabitants, of whom from tyme to tyme they have taken most confident assurance; bot since their last, by innumerable confluence of people from all the corners of the kingdome, at two Counsell dayes, such things were suggested to their poor ignorant people as had raised that which by continuall paines they had imprinted in their myndes, and had diverted them altogether from their former resolutione; so that they wer forced to supplicat the Lords of Secret Counsell to continue them in lyk estate as the rest of the kingdome; bot that they wold not forbear to doe their masters service to their power; and that they should studie to re-

Edinburghs
petitione to
the Com-
mittie;

and Second
letter to
Canterburie.

imprint in their myndis their former refolutions, which had bein taken away. In the lyk tennour, and to the fame effect, and of the fame date, they writ a letter to my Lord Stirling.

The rumour of that day of the 17 of October, appointed for answer of the Supplications of Edinburgh going throw the countrie, made a great number of nobilitie, gentrie, [minifterie and] burrowes refort thither at that tyme, in expectatione of ane answer to the commone Supplicatione sent long befoir. At which tyme, diuerse of the supplicants did folicite the bailies, counsell and people of Edinburgh to choofe commiffioners to joyne with the rest of the countrie in the commone Supplicatione for keiping out the Service-book. They propofe the mater to the Provest. He diflykit the conjunctione, bot [yet] appoynted to meit at their counsell the next day. That fame day, at night, Proclamatiōne was made at the mercat croce, diffolving that meitting of counsell, in fo far as concerned the maters of the Church ; and ordained ilk one that was come to attend that buffines to retorne home within tuentie-four hours, under the payne of borneing ; which was done by warraud of his Majeftis letter to this effect, daitted the 9 October. The whole people and inhabitants in Edinburgh wer now very fenfible of the corruptions of that book, which had bein preffed on them by the Committie efter publict difcoverie of its unfoundnes, and found their Provest unwilling they fould joyne with the rest of the countrie in the commone way of supplicating, altho he profest his own great diflyke of the book, and affured [them] to obtaine that it fould not be urged on Edinburgh : yit dealling underhand with many of the counsell and other fpeciall men in the toun, onlie to draw in a privat way by his advyfe ; his difappoynting them, in not fending his Majeftie their Supplicatione prefented to the Committie, wheras they had promifed to report ane answer therof againft the 17 October ; and his promifing [again] with the other magiftrats, in the foireited letters to the Archbifhop of Canterburie and Lord Stirling, to re-imprint in the peoples myndis their former (alleadgit) refolutions to obey and practife the Service-book, and for to abolifche out of their myndis all thefe fuggeftiones, wherby the inhabitants of the toun wer diverted from their former refolutions, and

17 October.

Proclamatione dif-
chargeing
the Suppli-
cants off the
Toune with-
in 24 hours.

had forced them to give in a Supplicatione to the Committie to be in the lyk caice with the rest of the kingdome, commoved the peoples mynds, and confirmed the common report, that the Proveſt had bein ſet over them expreſſie for eſtabliſhing the Service-book ; and that this courſe, in keeping them from conjoyning, was, that it might be the more eaſilie impoſed on them ; that thus, left to themſelves (divydit from uthers among themſelves), they might be expoſed, by threats of puniſhment and allurements, to admitt the ſame.

The Proclamatione appointing the ſudden departure of the Supplicants off the Toun, and notiſcing the Counſell wold not ſo much as take notice of the eminent and ſencible grievances of the ſubjects, made the whole numbers of all eſtates preſent to apprehend the continueing plott to ſettle that book in Edinburgh, by labouring to remove from them all the lawfull concurrence of the reſt of the ſubjects ; and ſo made the Supplicants to deall the more earneſtlie with the people of Edinburgh not to accept the [ſaid] book, bot in ſo juſt and lawfull way of petitioning againſt ſo great evils, to obtaine commiſſionars to joyne with the reſt of the countrie, and ſo to ſhow befoir God and man, their diſſaſent and diſlyk of theſe alledgit reſolutions and unwarrantit aſſurances made, in the name of the greateſt and beſt part of the inhabitants, be their Magiſtrats in their forecited letters. This made the people conveyne when the Magiſtrats went to counſell, upone the eightein day of October, and ther, with many earneſt cryes, beſeeching them for Gods ſake to care for the preſervatione of true religione. Thrie of the oldeſt bailyies, Johnne McNath, David Johnſton, and Gilbert Achifone, wer ſent with a bill from moſt [part] of the honeſt men in the toun, deſyreing they might concurr in the common way of ſupplicating againſt the Service-book. The Proveſt aſſured them, his Majeſtie had alreadie diſcharged the Service-book by proclamatione, which wold be found at James Prymroſe chamber, who is clerk to the Counſell. They ſending to try the ſame, finding ther was never word of any ſuch proclamatione, which, with the Proveſt's flighting of their deſires, and his ſtill preſſing of his own private way, did juſtlie irritate the people, that nothing was done by their Magiſtrats to hold out the Service-book they believed to be idolatrous. They did againe preſs ane Act of

their Counsell for choosēing Commiſſionars to ſupplieat with the reſt of the kingdome for reſtoring their ordinarie common prayers, their lawfull paſtors, and uſual readers; ane great cauſ lykwayes of the peoples commotione. The Magiſtrats granted this act very willinglie to them, which the whole toun counſell heſ confirmed ſince. No violence nor wrong was intendit nor performed by the ſaid multitude, no weapons uſed, nor preſent, as the Lords Theſaurer and Wigtone (who went up to the Proveſt), heiring ther was ſo many about the toun counſell-houſ, wher he was ſitting, can teſtifie; onlie with cryes and tears they deſyred the preſervacione of religion, and the keepiing away the Service-book, and reſtoreing their owne, and many prayers for them wold ſtand for the truth. The multitude, who deſired earneſtlie to vent theſe their prayers and wiſhes to the counſellers, made a great preaſe about the Theſaurer and Wigtone, who, as they returned, withdrew the moſt pairt of them eſter them; and many went away after the act forſaid was granted be the toun counſell. A few ſtayes the Proveſts outcomeing, who did no further injurie then by preaſing a litle to be near for crying thanks for that act he had granted; till the Proveſt reproached ſum of them with evill words, which was answered perhaps be ſome women with the lyk.

This being the truth, let any who have found the comfort, and knoweth the binding power of true religione, judgē if this people deſerve that cenſure and imputatione which their biſchops wold eſpeciallie rub upone them for oppoſeing their project; who preſſed that forme of ſervice, contrair to the lawes of God and of this kingdome, and being the root of this evill, dared in their conventicles contrive and allowe a forme of Gods publict worſhip, contrair to that eſtabliſhed by the generall conſent of this kirk and ſtate; and, to borrow a patern from theſe inferior to us in reformatione, with ſum impudent additions from Rome itſelfe; and takeing the Privie Counſell at ſo privie a tyme, as they did by very few exceid ſeven; that is a quorum (which they may have alwayes out of their owne number for any their accuſtomed good turnes, ther being nine or ten of the fourtein biſchops on the Counſell,) obtained that ſmall number of the Counſell to add their authoritie to the book, who had no more power to authorize, then the

The Toun of
Edinburgh
obtaines
Commiſſion-
ars to joyne
in ſupplieat-
ing, from their
Counſell, 18
October.

bifchops to frame it; this being a work onlie for a nationall affemblic, and that could proceed onlie from the Parliament, to whom the Counfell is fubaltern, and by whom, for this, is cenfurable. So that if any fault or violence had bein committed by any of the fubjects, in refifting or feiking the abolitione of that book, they might retort, the Bifchops frameing, and the Counfells authorizeing, to be the firft and principall caufes neceffitating either difobedience to God and breach of our lawes, (wherunto our gracious Sovereigne, being right informed, doeth and will allwayes moft religiouflic adhere); or els, the not obeying their more private command, proceeding from their mifinformation and fuggeftions, abufeing his Majefties ears; and fo delay or even refift thefe evils (being preffed) which wold bring the judgment of God on the land, untill his Majeftie fould be informed to take order therewith.

After the Proclamatiōe, fūm of the counfellers haveing intimate to fūndrie of the noblemen that they could not hear nor receive any thing from them concerning church maters, becaus of his Majefties command; and the Bifchops haveing fortold they wold procure that ftop, both for affronting of the Petitioners, and ftaying the progres of that buffines; forced the Supplicants of all eftates to refolve, 18 October, on a letter to the Lords of Counfell, fhoweing that many of them had their lawfull affairs befor the terme in the toun, and that their Lordfhips behoved either to ftay creditors from seeking their debts, or els give them more tyme to take order with their buffines.

Supplicatione of Noblemen,
18 October.

The end of this letter had reference to a Supplicatione, (which was alfo drawn up and clofed in the letter,) wherein they complained of the archbifchops and bifchops, for frameing and introducing the Book of Canons and Common Prayer, and fuch other novations as wer hurtfull to [his kirk and commonewealth; being forced by their dutie to God, his Majeftie, and] this kirk and ftate, to difcover and complaine of the frutes of their boundles power, like to undoe religione, prejudice his Majefties honor, and overthrow the liberties of the fubjects, (as the coppie of the Supplicatione heirto annexed will informe); they had muche patience to bear many former grie-

vous burdeings, bot not to be altogether smothered ; for these their last innovations extinguished the very lyfe of religione and policie, as wilbe sufficientlie cleired.

The Counsellors, being in the Connell-house, did desire the Noblemen and others to be with them for keiping off the prease ; who willinglie waited on them, first to the Thesaurer his lodgings, and then to the palace of Halyrudhouse, with[out any] great prease and cryeing, bot of sium few of the communes, who, by mutuall conferrences, exorted one another to care for religione.

At Halyrudhouse the Counsellors received the Letter, and gave twentie-four hours more for convenient dispatche of the Petitioners out of tonn ; and such as sould declair to any Counsellor lafull buffines that requyred longer stay, they sould receive it answerable. As for the Supplication, efter they had opened it, and found it concerned Kirk maters, they professed they wold reid none of it ; and were offendit, the Petitioners sould present any thing which they had declared themselves unable to receive ; taxing the Petitioners of impatience, that wold not wait his Majesties answer. The Petitioners shew the importance of the matter which forced their so plain dealling, that they wold alwayes most patientlie wait his Majesties pleasour, beseeching their Lordships earnestlie againe to recommend and informe their humble and just dcfyres to his Majestie, which indeed requyred speidie remedy, and that they expected the same fra his Majesties goodnes and justice. The Bischop of Galloway and Clerk Register, regraiteing the numerous meitting of Petitioners, wer answered, that the evill being generall, thoch every one had come ther with a few (as they did), yitt the persons grieved wer a multitude, and, haveing no other means to represent and get remedie of thir evils, had come in persone to petitione. They desired the Petitioners might come by a few Commiffionars ; wherupone many of the Petitioners, meitting efter supper, did resolve to meitt againe the 15 November ther, and choose their Commiffioners in a quyet manner.

Galloway
and Clerk
Registers
motion of
petitioning
by Comit-
tioneis.

It is to be observed how strangelie these were conveyned at all tymes. For, first, when the Ministers wer befor the Counsell, 20 August, sium few of

The way of
conveining,
20 August.

their paroshiners and particular freinds and acquaintance goeing along with them, other neighbours hearing therof could not abstaine from goeing also, which made them a considerable number ; and it was strange to find what discontent both Gentlemen and Ministers not advertised had that they gott no notice of their goeing, and went not with them ; yea, that any number fould then appeared was against the advyce and resolutions of some specialls, with whom the same was advyfed ; and no externall meane [that] was used seemed to do so much good, at the ministers first appeiring, as the many letters proceeding from the speciall men in severall corners of the countrie neirest hand, which proceedit from the motion of one that employed himselfe that way, and caused the rest be remembred, all of them running upon the lyk reasons, which ar formerlie touched ; and he was sturred up to bethink the same bot a short whyll befor the Counsells meitting, upone the regraite of a good and religious woman, that no ordinaire nor lawfull means wer used for withstanding that Book, and forrowed to find many senses of the evill, and others inclyned to a stupide kynd of patience and suffering.

20 September ;

The second meitting, 20 September, was alluterlie dissuadit by the most pairt that was thocht to be of best skill, and who broght good reasons for the same. Bot rumour of the Duke of Lennox comeing to establishe the Book at Edinburgh made most of these to whose knowledge that report came ever to rush thither upon exceeding litle warneing, and did not hyde invitatione.

17 November ;

The thrid meitting, 17 November, when notice did run abroad that the Toun of Edinburgh wer then to get the answer of their petition, and the answer to the generall Petition was expected with it, which begote a generall desyre in all who hard hereof to come foreward, advertisments did run abroad to stay all Petitioners, becaus the Counsells act did bear they fould be tymoullie advertised when his Majesties answer come ; and therfor it was not fitt to anticipate many other reasons for giving offence, for wearying the petitioners, &c. Bot the advertisments missed sum by the evill weather, other came becaus they could not find content in their mynds if

they stayed at home, others heiring of their neighbour coming could not be withheld.

The fourth meitting was fittlie appoynted for choyfing Commiffioners to elchew multitudes in tyme comeing, as is efter declaired; fo that in all thir meittings the inward propenfione of mens hearts wer their conveyners, and the trew deteftatione of the Book did move the fame; wherby they ar taught only to look to the Lord, who hath yet led them right, thogh they knew not wher nor how, and in fuch a fair and lawfull way as wanteth all refone of reproof. The daylie groweing deteftatione of that Book, and of the Bifchops inbringers of it, and many other evils, the generall refentments therof, the difpofition of many people encreasing in a defire of greater knowledge then they aimed at befor, and fome growth of chriftian affectione amongft neighbours, may prove this cord to be twifted be a hand from above.

and 15 November.

Nota. The Noblemen and Gentlemen that met the 17 October, being greived at the proclamatiōe appoynting them to depart the Toune, did refolve on the Letter and Supplicatione clofed within it, which is before mentioned in the Informations. The Letter was drawne be my Lord Loudon, and the Supplicatione by Mr David Dick; and the Supplicatione onlie lookit upone be Loudon. It was done haftilie, and fo could not be done ornatlie and fo advyfedlie. They did draw up one copie in paper for the Counfell, and another in parchement to fubfcrive, that our hands being at it mycht teftifie who joyned with that Petitione. Ther was 500 hands at it that fame nycht. When the people of the Toun was in tumult, they came to the gentrie fitting in the laich Tolbuith, defyred to joyne with them, and take one courfe in advyfe. The gentrie acquainting the Noblemen therwith wer defyred not to medle with them. They defyred the gentrie alfo to come to their Counfell, and be witnes to fuch conditions as their Magiftrats granted them, whom they wold hardlie beleive. The Noblemen defyred them not to go, except the Toun Counfell and Magiftrats fent for them.

Supplicatione, 17 October.

It was done haftilie and fubfcrivit.

The Thefaurer, Proveft, Bifchop of Galloway, and findrie others in the Counfellhouſe, and being paſt tuo efternoon, could not think how to gaine their lodging for getting ſome refreſhment of meat faillie and without

Theſaurer deſyres the Noblemens convoy.

paine ; till the Thesaurer, receaveing approbatione from the Bisshop of Galloway and Provest, did send Sir James Murray of Ravilerige to David Homes house, against the Stinking styll, wher the Noblemen wer, and had met these tuo dayes, desireing sum of them to come and speake with the Thesaurer, and that the haill Lords wold glaidlie bein at their lodgings. The Noblemen sent Loudone over to speake to them, and said, they wold wait upone my Lord to his lodging. It is to be rememberit, that the gentrie fate in that Tolbooth wher the Justice useth to sitt, becaus they wer so many that no privat rowme could containe them. The Thesaurer come into them, and in a rude way reproved ther convocating, and in such a publict place and fashione. Bot they answering funthings for themselves, he called out Arthur Erskine, Sir John Prestone of Valeyfeild, and sum of his acquaintance, and told his mynd to them, reteired into the Counsell hous. When my Lord Loudon went over to the Counsell house, the Counsellers arose, and came out with sum preafe. The Noblemen at John Homes hous came down, and presentlie thrust themselves in about the Thesaurer, sum about the Clerk Register and Provest, some about the Bisshop of Galloway, the maine object of hatred, whom they guairded so cairfullie as to save him from all thrusts and tossings. Their followers keipit off the thronge reasonable weill, and waited on them to my Lord Thesaurers hous in Nithries wynd. The people called the Bisshop of Galloway, Papist lowne, Jesuite loun, Betrayer of religione, and that from the report that he ordinarlie had a crucifix in his cabonet, wher he said prayers, and did wear upone him, commending be discourse the use of them for remembrance. The same people begane againe their cry, wheron the Provest wold have bein back, they being all midway upward ; bot the Noblemen besought they might go on, it was bot a pack of poor women. The Provest alleadgit these wold by their cries convey the rest.

Ther was sitting in Counsell that day, the Thesaurer, Earl of Wigtoun, Bisshop of Edinburgh, Bisshop of Galloway, Clerk Register, Justice Generall, Mr. Elphinstone ; and the Noblemen that went into them, wer Sutherland, Rothes, Yester, and Loudon. That night, at 8 houres, after

the supper, the Noblemen that went into them motioned sum articles; and the Commissioners from the Barrons and ministrie being all mett at David Homes be 9 hours, these followeing articles, proponed befor among the Noblemen, and sum others added, wer concludit by them all, being these four poynts:—1. That the Petitione shall be subfcrived on both fydys; and when it is full, another copie to be drawin, to receave subfcriptions, in parchement; and sum paper copies to be made, wherto far different presbtries may put their hand for the present. 2. When any ar cited befor the High Commiffione, the partie using any appeall or declinator, if the Commiffione proceed againt them, that we all now Petitioners shall concurr to Petitione the Counsell againt such unlawfull judicatories, at least als many hands as may convenientlie go to a petition, and the rest to allow it. 3. It is thought fitt that the Petitione presented, remaine in the clerk's hands, and marked as presented 18 October. 4. To meitt the 15 November, for meitting together againe anent these things considerable in the bussines.' The Commissioners of Edinburgh being present, Mr. Andro Ramsay said the prayer at their conclusion, and so they parted.

Articles resolved by the Supplicants in October.

The Earle of Rothes being desyrous to speak with Mr. William Hay, the Provefts sone, befor his father shuld go to court, who had that nycht gone from the Abbay to Leith, cursing the Toun of Edinburgh, swearing never to come amongst them againe, and professing he wold the nixt morning be gone for court; as Rothes was takeing coach, the Duke came from the Thesaurer, and desyred him come to his Lordship nixt morneing befor he spoke with the Clerk Register. Nixt morning, Rothes coming to the Thesaurer be 7, he begane to repeat former nights sturr, told him what extreame fear the Proveft was in when he came up to the Toun Counsell house to him; how he wold have made ane holl in the rooffe of the house, and stollen out for fear of the people; how that he had exprest both ther and in the Counsell, efter that the frequent meitting of the Noblemen and Gentlemen had incensed the people, and bred that sturr, which the Thesaurer alleadgit he took as if he wold have excused the people by laying the blame on the noblemen and gentlemen, and that the Proveft shuld have

Rothes conference with the Thesaurer.

said, Sum gentlemen were sein dealling with the people, and stirring seditione amongst them. The Thesaurer said he stood stoutlie to it to bear back that, and offered, shew him the man and he sould lay him fast, for he was sure ther was no Noblemen ther bot wold concurr. The Thesaurer affirmed, that the Toune Counsell was more mutinous then any without, even these within. Rothes told, that they wold not do well to lay the blame on the gentrie, for they had bein tuyce folicite by the people of the Toun to joyne with the Toun and refused, as is befor remembered. The-
saurer was earnest to know their names : Rothes denied, and said it was best to lay the saddle on the rycht horse ; nothing was to blame bot the great cause, people apprehending a change of religione, was much commoved therat, and blamed their rasche ongoeing in Counsell, who sould have looked better to it. He told how partiallie the Bischope went on in Counsell, and how he stopped to give Counsells authoritie. He told how, be
Hugh Scrimgours means, he had conference with St. Androes, and wer in sum better fashiones, and that they had related St. Androes affectione to the Bischop of Ros had keipit them at much distance ; that they had now joyned in this, and wold writ to his Majestie that he might be pleased informe himself be sum of his Counsell of the state of buslines ; and told, for all the letters they writ, they got no answer bot in the generall letters, and of no particular ones ; that no secretar knew of the Kings last letters, bot wes writ with the Duke of Lennox hand, and they knew not what course the King wold take. My Lord Thesaurer seemed to approve the Ingles service as a good mids, admired Rothes disapproveing of it, curseing he was bred in Fyff. He told he was long a papist, and haveing craved of God knowledge of the truth, he had granted his desyre, which he wold not for a world quytt.

Rothes
speiche to
Mr. William
Hay.

Rothes spoke with Mr William Hay, the Clerk Registers sone, made excuse he could not see his father, being gone away in haste, and he goeing to court, desyred Mr William to tell him it was not good to lay the blame of the Toune of Edinburgh on the Nobilitie nor Gentrie, seing they denyed concourse to the tounes men when they requyred it, as sould be qualified

if they preased to lay it upone them ; bot best to put it on their oppinione that their religione was to be changed, which indeid was able to change mens mynds ; and best to plead for a removeall of the Book, and a pardon to them who was moved by such forcible oppinione :—which Mr. William promised to report.

Sum of the Noblemen comeing to Edinburgh the 15 November, wer defyred by the Thesaurer, who was goeing to Lithgow to attend the Counsell, to deall with the whole Petitioners that was comeing, presentlie to returne home againe befor the Counsellers coming back from Lithgow ; which being considered, was thocht impossible. He desyred they might carie themselves quyetlie, and appear litle on the streets or togither ; which was answerable obeyed, by the sitting of the Gentry of ilk shyre in severall houses, and communicating their mynds by Commissioners of these that wer then present. Ther was chosen tuo of the gentry for ilk province, one Minister for ilk presbtrie, one commissioner for ilk burrow, and bot six of the nobilitie for the whole number ; and these to attend his Majesties answer to their Supplications. These commissioners wer desyrous to meitt with the Counsell and their Lordships, who had mett at Lithgow, appoynting sum of the Counsell to speak for hasteing the petitioners out of toune. The Thesaurer, Lauderdaill, and Lorne came wher the Noblemen wer mett, sheweing that the Counsell (who had mett the preceeding day, the 14 November) wer exceedingly grieved at so numerous a meitting of the Nobilitie and Gentry, &c. ; wanting both warrand in law and just reasone for the same, seing his Majestie had signified that he wold not pres the Service-book till his further advysement, which was als good ane answer as could have bein desyred ; and their proceeding seemed as if they wold force sum answer from his Majestie, who had graciously accepted ane excuse for their last meitting, and taken notice of their ready obedience and concurrence to all peaceable wayes ; bot now to meitt againe, without reasone, might justly irritate, and the rather that this meitting was appointed at the last, the 17 October.

15 November.

Commissioners chosen, and how many.

Theaurer, Lauderdaill, and Lorne meitt with the Nobilitie, and confer with them.

It was answered by the Petitioners, That they war neither impatient nor diffident of his Majesties answer ; bot desirous that the necessitie of so many

important maters as their laft petitione did bear, (not yitt accepted for ought they knew,) fhould be made knowne to his Majeftie; the prefentment wherof was a verie juft, warrantable, and neceffar reafone in law, equitie and cuftom of their meitting; that fuch great maters as they complained of might be prefented, (according to King James his uncontroverted axiome, in the begining of his Difcourfe of the Powder Treafone, that *Pro aris focis ac patre patriæ*), and the danger of any of thefe is a tyme wherin no man ought to keip filence, bot that the whole bodie of the commonwealth fhould fturr at once, not any more as divydit members, bot as a folid and indivydable lump; that their appoynting in October to meitt now did proceed from the advyce of the Bifhop of Galloway and the Clerk Register, and others of the Counfell, counting it fitter to petitione by Commiffioners then by multitudes; and that for this effect they wer mett in fuch a number for choifeing Commiffionars; that their meitting was peaceable, without offence to any, neither was the number perceavable, they caried themfelves in fo peaceable a way and quyet maner; that they wold willinglie wait for his Majefties anfwer, if their whole grievances contained in both fupplications wer fullie prefented.

The Counfell replied, that indeid the quyettt couthing of fo many was admirable to thofe who knew their number. Bot againe, preffing the petitioners to pairt off the Toune, they befought the Counfellers they wold be pleafed to accept and recommend their former Supplicationes, and one which prefentlie they war to give in, which had with other reafons speciallie moved them to meitt at this tyme; [viz.] to complaine of a number of Bifhops, Minifters and others their followers, who, greiving at their oppofeing of them, fcandellouflic and wrongfullie called the Petitioners mutinous and rebellious fubjects; the imputacion wherof was intolerable unto them, who had God to be their witnefs that they will rather undergo death itfelf then be guiltie of that finne; that never any fuch word or motion had bein [heard] among them, that tendit further then humble to fupplicate, as the moft fubmifs way allowed to the meaneft of the fubjects; that they behoved to clear themfelves by a Petitione or Declaratione to his Majeftie; and therfoir

humblie desired their Lordships to accept and recommend the same; that if they wold not, they behoved themselves. The Counsellors answered, that they could accept none from them, being inhibite by his Majestie; that if they sent any of their own, it was lykelie the carier wold be stayed, and discharged to come to his Majestie. The Petitioners shew, that this Supplication was not of Church maters, bot a complaint on such as called them rebellious, and a vindicatione of themselves; that they should mentione nothing of what was past, bot only crave his Majesties answer of the last two Petitions. When the Counsellors affirmed they durst take none from them, the Petitioners requyred that they wold tak informatione from them, and send to his Majestie, since they wold not receive petitions. The Counsellors asked, what they wold informe. They answered, against the Service-book, Book of Canons, and High Commission, and against all other novations. The Counsellors affirmed, that they took too much in hand; that it wer good they wold proceed onlie against the Service-book at that tyme. The Petitioners told, they behoved to do their pairt, and remit to his Majestie to doe what he pleased; for they found so much prejudice to the lawes of the Church and State, to the ecclesiastick and civil judicatories lawfullie established in both, to the subjects liberties, fortunes, and persones, by the Book of Canons and High Commission, as they could not comport.

At last the Counsellors motioned, if the Noblemen wold depart the toune in a quyet maner, (according as they had caried themselves being ther,) they promised, that, in a few days, they receaving his Majesties answer to their Petitions, which they expected with the Earl of Roxburghe, they shoud give lawfull advertisment to the commissioners chosen by the petitioners to come and receive his Majesties answer; which, if the Commissioners shoud not find satisfactorie to their demands, the Counsell shoud, in the meane tyme, requyre from his Majestie power at that tyme to receive Petitions and Informations from them of such things as they wold informe and find omitted, and which they shoud represent to his Majestie farther. And because this was their owne motion, they said they behoved to advyse with the Counsell if they wold be content therewith. Therfoir, they took

the next day to advyse it, and to give the answer of the hail Counsellors that wer in toun ; in which tyme the Petitioners promised to advyse with their whole number. The Counsellors promised to deall with the Bischops for using no novatione nor rigour untill his Majesties answer come. The Commissioners for the gentrie, ministers, and burrowes lyked these propositions, that might in any fort please his Majestie or his Counsell, and wherby they had fairlie and warrandably interest to informe his Majestie of these evils, the greater wherof did never presse any people ; and acquiesced in that answer, thogh tending to delay, in esperance of the promised hearing and accepting Supplications and Informations.

13 of the
Supplicants
chosen to
wait on the
Counsellors,
16 Nov. at
the Abbay.

The Petitioners chosed four noblemen, thrie barrons, thrie burrowes, and thrie ministers to wait upon the Counsell, the 16 November, in the efternoone, at which tyme, meeting at Halyrudhoufe, all the Counsellors agreed to these conditions motioned the night befor ; and anent the maner of advertising the Petitioners concerneing his Majesties answer, it was promised to be tymeous. Motione was made by some of the Counsell that their advertinent mycht be made be proclamatioun. That was not found sufficient, in respect sum wold not know of it. Sum also affirmed, the discharge of the Service-book by proclamatioun was ane sufficient answer to the Supplications ; which was denyed, becaus the petitions reached further then that, viz. the Book of Canons, High Commiſſion, and other novationes.

They pro-
pone 5 de-
sires to the
Counsellors.

The Commissioners, as they wer desyred by the rest of the Petitioners, propondit to the Counsell these following desyres :—First, If they receaved not content be these courtes proposed, and that they found not his Majestie richtlie informed, they craved not to be mistaken if they yitt againe conceived for petitioning, for people could not be other wayes weil satisfied ; and that they onlie told them this to eschew mistaking. Secondlie, That their Lordships wold be pleased to mediate with his Majestie to restore his favour, and the ordinarie judicatories as the tokens therof to Edinburgh, and not to raise any persuite against the commone people ther, seing all they did was bot supplicatorie clamours of a multitude, proceeding from their beliefe of a change of true religione, the greatest of all causes to move a

christiane mynd; that upon this provisiōne the Petitioners wold frelie pass by the fault of these who without all reasone have called them rebellious subjects, the greatest imputatiōne that can be laid against men for transgressing against man, the fault being [so haynous] against the greatest of men. Thridlie, That the Counsell wold deall with the Bischops for the restitutione to the Toun of Edinburgh their ordinarie prayers and ministers. Fourtlie, That they sould deall also with the Bischops that no novatiōne sould be practised, by reading the Service-book in any part, till his Majesteis answer sould come, and a generall course be taken for the whole kingdome. Fyftlie, That they might have a warrand [to meitt] for choyseing commissiōners, and warrand to such as wer not ther to meitt in the severall shires for that effect. The Counsell feimed angry at the First. For the Second, they wold not medle with any thing concerned Edinburgh, becaus their Provest was not present, and they behoved to hear them by their Provest and other Magistrates; requyring the Commissiōners not to medle therwith. They said, if their Lordships wold not mediate his Majesteis favour to them, they wold reserve their challenge in law against these that caluminate them. For the Thrid, the Lords spok to the Bischope of Edinburgh, who promised to write to the Chancellar for that effect. For the Fourt, albeit the Lords wold not profess it to the Petitioners, yit they spoke to the Bischope for that end. To the Fyftli, that they, not being a Counsell, could give no warrand for choyseing commissiōners. The Kings Advocat being asked, said, they might meitt amongst themselves, and choyse commissiōners for Parliament, for Convention of Estates, or for any publict buisines. This ending their meiting with the Counsell, the nobilitie, barrons, and burrowes resolved to leave everie one of them sum of their Commissiōners in toun to waitt and advertise the rest of the Supplicants; specialie to give notice, if any persuit sould be intendit against Edinburgh, that they all who wer Petitioners, being jointlie interestied, might conjoyne in their lawfull defences; it being generallie thought that the peruse of Edinburgh was intendit, that they might be broght under compais, and get their remissione for accepting the Service-book, and the rest of the Supplicants might be therby terrified, and their

The Coun-
fells answer
to the Sup-
plicants.

Commissiō-
ners left to
attend at
Edinburgh,
and to give
advertif-
ment.

proceedings by this practick precondemned, and the commone defences arising from the mater and maner of the Service-book prejudged

The godly
and loving
parting of
the Suppli-
cants, 17
November.

On the 17 November, at night, the whole noblemen and commissioners for the gentrie, some ministers, and burrowes meeting together wher the noblemen ordinarlie satt, ther passed mutuall exhortations of religious liveing, that all might be lyk the holy professione they petitioned for, and that their adversaries might not be able to object the diffimilitude of their lyfe and professione. Many heartie prayers for his Majestie, both in privat and publict, wer enjoyned, being the speciall meane to end this truble, and purchase the restitutione of truth. More reverence, more expresse of true and religious love to his Majesties persone, more promises of heartie prayers from all for his spirituall and temporall good, was never amongst subjects; true and lawfull obedience avowed, and promises from all to endeavour the informatione of all such as may mistake his Majestie, and diminish their affection to him for thir evils, which ar the work of others. After a hartie and publict prayer, (the good wherof will assuredlie reach to his Majestie, proceeding from so many earnest defyres,) they took their good-night of others, (being ther about 24 Noblemen with the commissioners foirsaid;) wher might bein seen such agreablnes and undefolvable amitie and true affectione, (being joyned in so good a caus,) as ane influence from heaven made their hearts find a sort of love and respect to others such as many of them had never formerlie felt, and it might bein sein in their looks and kynd embracements, with a preteritione, or rather a willing forgiveing and forgetting any former mistakings had bein amongst any of them. This fruite is also already found, that many of them profess that they find a better hart to pray then befor for his Majestie, for themselves, for the success of the cause, which evidenced Gods favour to it; whilst their adversaries dare not, without sin, crave a blessing to their course, which wanted the warrand of Gods law and the law of the land, and the appearance of any further good then the setting up their owne tirranicall power.

Counsell
Letter to
the King,

The same day, the Counsell writ a letter to his Majestie, shewing that the Thesaurer, upon informatione of a numerous meeting of his Ma-

jesteis subjects to be at Edinburgh, the 15 November, called a meitting of the Counsell at Lithgow, for consulting upone suche things as was necessar for his Majesteis service; and that they had sett downe the progres and happie successe of a buissines of that importance to my Lord Sterline, his Majesteis secretary. Another letter was written to my Lord Sterline, shewing that they had mett at Lithgow to consider the consequence of that numerous meitting of his Majesteis subjects at Edinburgh, the 15 of that month, that they might use their best [means] that no prejudice might arise to his Majesteis service by these meittings; that it was thought fitt, that at that tyme, which was the indieted dyet for intercoure of money, payment of debts, performance of barganes, &c. ther shold be ane forbearance of any prohibitory Proclamatione, which they foirsaw would carie their owne dangers; the peoples humours, still boyling and aloft, might refuse obedience to the authoritie of the Counsell; and if they shold happin to obey the Proclamatione, these who had distressed estates might tak the occasione to neglect the tearme, and defraud their creditors; that therfor they thought it more sure to dissipate this cloud by a calme and understanding dealing, and privat intimation of the Counsells pleasour, then to hazard the authoritie of the Counsell to be disobeyed; that my Lord Thesaurer, Earl of Lauderdale, Lord Lorn, were appoynted to negotiate the buissines with the most eminent of the nobilitie, gentrie, [ministers], and burrowes; and the rest of the Counsell used the best of their endeavours that their travells proved succesfull, haveing represented to the Nobilitie that numerous convocatione might be offensive to his Majestie, and mycht have dangerous consequences, by tumultarie confluences of commone and disorderlie people upone such occasiones; that the Nobilitie gave all content by significatione of their loyall intent, and wer come to Edinburgh humbly to attend his Majesteis pleasour anent their former petitions; that they apprehendit the Counsell had not fullie and cleirly represented to his Majestie their grievances against the Service-book; that they conceived their fortunes to be drawn in great danger by the vast and unboundit power of the High Commisshone, progres and exercise therof, in maner and in the tearmes that it is now conceived

and to my
Lord Ster-
line.

and pressed : that therfor they made their addrefs to the Counfell, and by humble supplicatione to represent and crave redrefs of that and others their pressing grievances ; that by the dexterous cariage of the thrie Noblemen, and particular and forward assistance of some of the speciall of the nobilitie, gentrie, ministers, and burrowes, they did effectuat, that ther sould be no publick convocations and consultations, and sould not offer to trouble the Counfell with their grievances, till his Majestie sould returne his royall pleasour to their former Supplications ; onlie they pressed with undenyable earnestnes, and the Counfell could hardlie urtherwayes satisfie them without seiming to give way to this their particular desyre, that whenever his Majesties pleasour concerneing the Service-book sould be returned, they might be allowed by the Commissioners of the shires, or by one or tuo discreit men from a shyre or a burgh, to represent their grievances, and receive his Majesties or Counfells answer therunto, that they might boldlie affirme and assure, that this meitting, wherof the consequences was so much feared, is now dissolved without any harme or noyse.

Roths meitting with the Thesaurer, 13 October.

On Monday 13, Roths came to [the] Thesaurer at night to visit him, who did shew his fears that the frequent meitting of so many wold give his Majestie discontent ; and that also he had bein taxed formerlie for keeping correspondence with some of the nobilitie, which he had alwayes done for the good of his Majesties service, thogh his adversaries interpret the same as unfaithfullnes, and said he had the Masone word among the nobilitie ; yitt was he conscious to himself, as he had sought speciallie peace, and had a regard to the nobilitie, bot his speciall aim was his Majesties service, and that now he had received approbatione of his proceedings ; and shew Roths a letter from his Majestie, at least the end therof, saying, that for the willingnes of these noblemen to his service, he sould think on it, &c. The Thesaurer desyred, that the Counfell being to go to Lithgow and meitt ther the next day, he sould returne at night ; and requyrit Roths sould deall with the haill nobilitie and gentrie to be sein als litle in publick as they could, and dispatch themselves out of the toun als speidilie ; and said, he knew it was hard to stay them from meitting, bot that they might be soon

dispatched ; he promised, also, to endeavor to stop the Proclamations for charging them to part the town.

On Tuisday, the Earle of Rothes did endeavour himselfe so among the nobilitie, gentrie, &c. as they did not appear in numbers, bot wer willing to tak any course might give content. On the said Tuisday, at night, Rothes had severall purposes with the Thesaurer in privat, and on Monday also, tending to shew his disoblisment to the Toun of Edinburgh, who had bein ungrate to him for all his kyndnes to them ; how they trusted to their Provest, and miskend him ; how he hard their Provest was pressing them to raise 5000 lib. sterling, to give in buds to save them from censure for the tumult, and to preserve the Session with them. When Rothes pleadit for immunitie, and told it wold breid a sturr, he said, none of their lyves nor blood sould be taken, he had rather quyt Scotland ; bot a fyne to the King of 20,000 lib. Scotts, their broad seals, the keyes of their ports, and priviledge of choyseing magistrats to be loosed, and at the Kings pleasour in all tymes comeing. He said, Mr. Alexander Guthrie had said he sould tell who stirred up the people of the gentrie, &c., but that he sould saife both gentrie and nobilitie from any challenge. I said, it might be that some minister or gentleman had acknowledged their first stop to have done good, and wisched them never to accept of that Book, and these wold be broght under compase. He said, they wold not onlie the touns men be punished, he said, we wold all be sundred and brokin, both nobilitie and gentrie, and, in jest, said Rothes wold be sent for, and put in the Tower. Rothes said, he sould goe if the King wold bear his charges, bot no other wayes ; and that he feared not that he wold never change so long as he lived. The Thesaurer also told Rothes privatlie, that he heard, at our last meitting, a ticket was cast amongst us from the Puritans in England ; also, that Mr. Alexander Guthrie said the fault of the tumult sould never lye on the Toune of Edinburgh, for they wer straited, they could take them by the hand that encouraged them to it. Also, Rothes told them, that we wold prosecute our Petitions for High Commiissions and Book of Canons, alsé well as for the Service-book ; and

Rothés conference with the Thesaurer anent the Toun of Edinburgh,
14 Nov.

wold never receive the Inglis service which he feined so much to prove as a good midis ; and told, we have no forme of service bot by the Generall Assemblie, the ordinarie way of this land for church orders.

Names of
Noblemen
mett, 15
November.

On Weddinsday 15, the noblemen mett at Johne Eliotts house, ther being Sutherland, Rothes, Montrose, Calsles, Home, Lothian, Weynes, Dalhousie, Lords Montgomerie, Fleiming, Elcho, Lyndesay, Yester, Sinclair, Carnegie, Loudone, Balmerinoch, Cowper, Foster, Cranstone, Burley, Boyd. The noblemen that wer mett together, thinking upone one of tuo wayes, either to move the Counsell accept ane Petitione of theirs to his Majestie, and recommend it, other wayes to send one of their owne. Durie elder did mediat with the Thesaurer privatlie, becaus the King wold not admitt any with a Petitione from us, and the Counsell durst not admitt any from us, becaus of his last letter, inhibiteing to accept any of our petitions that concerned church maters ; therfoir, that being in a moderate straine, he wold undertake to carie or get it caried himselfe, and wold adventure thereon.

Provest
dealls with
Edinburgh
to divyde.

After the noblemen and commissioners of barrons, and burgeses, and ministers had parted, about the 18 November, sex barrons wer left, with Sutherland and Balmerinoche, and sum burrowes, to attend in Edinburgh ; that in caise any punishment wer abruptlie inflicted upone the Toune of Edinburgh, they might petitione for them in the name of the rest, till the whole rest of Commissioners appoynted to attend his Majesties answer to their Supplicatione, sould be advertised to come and assist the Toune of Edinburgh in all legall wayes. In the meane tyme, the Provest dealt excheiding earnestlie with some of the Touns men for divyding fra the nobilitie, and that their Commissioners sould no more appear with them ; promising, if they wold doe so, he sould obtaine his Majesties pardone to them for any challenge might be laid aganst them upon their tumults.

Edinburgh
Commission-
ers crave
their Coun-
sells censure
of their dili-
gence.

James Cochrane, Johne Smith, Thomas Paterfone, formerlie chosen Commissioners to the meitting the 18 October, had, upone that same commissioun, mett with the nobilitie and gentry, &c. on the 15 of November, and had never gotten their diligence for that second meitting approven by the Toun Counsell, nor ther commissioun continued ; therfoir craved the Toun Coun-

fell to be convey'd, either to approve or challenge their diligence, and to resolve, whither to continue Commissioners to meitt with the nobilitie, gentrie, and burrowes. Sir John Sinclare and sum others on the Proveft syde wer loath to meitt till they wer by the rest of the Counsell challenged for absence, and commandit to appear, wher, except sex voyces, the whole Counsell approved their diligence, and continued their Commissioners to join with the Nobilitie, &c. to follow the Petitiones given in against the Service-book, Book of Canons, and Highe Commissione, &c.

About the latter end of November, sum of the Commissioners being in Edinburgh, wer told by sum of the statesmen, that my Lord Privie Seall, being come home, had written and appoynted a Counsell to be at Lithgow, 7 December; and therfoir willed tymeous advertisement to be given therof to the rest of the Commissioners. On the 6 December, my Lord Thesaurer and Privie Seall defyred four or five of the Commissioners of the nobilitie and burrowes that wer in Edinburgh to come to them, who dealt most earnestlie that none of the Commissioners might goe to Lithgow. Which motione they communicate to the rest of the Commissioners, who wer exceedingly displeased, thinking it tendit to delay; yit wer at lenth content to obey their defyre, upon their promise to indict a Counsell day within four dayes, wher they should give the Commissioners a full hearing of what they had to say.

December 7.
The Coun-
sell at Lith-
gow.

At the meitting of the Counsell at Lithgow, 7 December, they gave out ane Proclamatiōe, shewing his Majesties resolutione to have answered these Petitions given in by his subjects, concerneing the Service-book; but the disorderlie, tumultuarie, and barbarous insolences committed within the citie of Edinburgh on the 18 October, to the contempt of his Majesties authoritie, by abusing his Counsellors, Officers of State, and others bearing charge under his Majestie within the said citie, made his Majestie, out of a just resentment of that fould indignitie, delay the significatione of his Majesties gracious intentione in givinge satisfactorie answers to the Petitiones of his good subjects, which in equitie might have bein expected from so just and religious a Prince: bot his Majestie being unwilling that

Declaratione
of the Kings
intention at
Lithgow, by
proclama-
tiōe.

his faithfull subjects should be posselt with so groundless fears, is pleased out of his goodnes to declair, that as he abhores superstitione of poperie, so he will ever be most cairfull that nothing be allowed within his Majesties dominions bot that which will tend to the advancement of true religione, as it is presentlie professed in this his Majesties antient kingdome of Scotland; and that nothing is or was intendit to be done therin against the laudable lawes of that his Majesties native kingdome. His Majestie writ a letter to the Counsell, with trust to the Earle of Roxburgh for declaireing his Majesties mynd to the Lords of Secret Counsell.

Proclamation
anent
the seat of
Counsell and
Sessions.

Four gentrie,
four min-
istres, and
four bur-
rowes met
with the no-
blemen Com-
missioners.

The Counsell gave out other two Proclamations at Lithgow, the one anent the Counsells sitting at Dalkeith weeklie, Tuisday and Thursday, till the first Thursday of February 1638; the other anent the Sessions sitting at Stirling the first Tuisday of February, and thereafter durance his Majesties pleasour. The six or seven noblemen commissioners, to eschew that confusion which followeth [upon] consulting with a great number, agreed, that onlie four of the gentrie, four of the ministrie, and four of the burrowes should sitt with them, and convoy the motiones of severall Commissioners, and returne back their judgement, or any new advyse they had to give; so that all maters wer treated by mutuall correspondence, and their resolutions made by full consent to the whole numbers. In that tyme of their meeting together, they advysed and consulted these objections made by their adversaries against their proceedings, which were without question thought lawfull and humble; and the resistance made against the Service-book by sum townes verie excusable and easilie maintainable by law, considering both the mater and maner of inbringing it.

9 December,
Five of the
Supplicants
met with
Thefaurer
and Privie
Seall at the
Abbey.

Upon Saturday, the 9 December, my Lords Thefaurer and Privie Seall sent for sum of the Commissioners. Four noblemen and one barrone wer sent down to Holyruidhous; wher these two Lords shewing how grationlie his Majestie had exprest himselfe by his late Proclamatione, clearing any fear might be conceaved of the change of religione; desyreing the Commissioners to be wyse in their proceedings, haveing to doe with so good a King; and seeing the Service-book was the caus that first moved them to petitione, the

fame being removed, why ſould they not acquieſce? It was answered, the Proclamatione was needles in reſpect of them, who wer never doubtfull of his Majeſteis love to religione, and had declared it by takeing themſelves to other parties, whome they ſuppoſed and wold prove guiltie of that great fault, now evident to the world. As for the Service-book, it was not enough to be ſuperceidit, for then it might be introduced againe; bot it was neceſſary to be removed by that ſame authoritie that broght it in. As for the Book of Canons and High Commiſſione, they could not omitt them, becauſe they everted all church diſcipline, and the lawfull judicatories of the kingdome, indangered the eſtates and liberties; and yitt wer introduced without, yea contrair to all order of law appoynted in this kirk and countrey, for eſtabliſhing eccleſiaſtick conſtitutiones or lawfull judicatories. The Theſaurer and Privie Seall ſhew, though they conceived all theſe things complained on neceſſary to be removed, that haveing to do with a King, it was fitt he ſould preſerve the order and tyme of doing; and that they ſould not tak too much in hand at once, leaſt, in ſtead of cenſuring Biſhops, they got them ſett up further; therfoir deſyred them to meddle with no more at that tyme bot with the Service-book. They deſyred alſo the Petitioners to preſent their Petitions, ſeverallie, by provinces, and the inhabitants of the provinces to ſupplikat together, becauſe the King took their maner of ſuppliking together to be a combining and mutinous forme. They deſyred his Majeſtie might have all his will in their maner of proceeding, ſeing it impared nothing from their end. Efter much debate betwixt the [two] Stateſmen and the Petitioners, the Stateſmen deſyred the motion of ſeverall ſuppliking to be communicated to the whole reſt of the Commiſſioners, and that on Monday the eleventh they ſould return their answer. They declared they did not mynd diſunionie, and ſould receive all the Supplications in a ſhort tyme, to eſchew delay.

The deſyre of the Statſmen being communicate to the whole reſt of the Commiſſioners, and fullie repreſented with all the conveniences proponed by the Stateſmen; after much debate, on Saturday afternoon and Monday morning, thir reaſones wer given why they could not obey their demands:—

11 Decem-
ber. The
Supplicants
answer to
the Stateſ-
mens mo-
tione of
divydit ſup-
plications.

1. They wer all of them Commiffioners, limited by thefe who had intrufted them with a commiffione, and therfore could do nothing without the content of thefe who had limited them and intrufted them. 2. The caufe wherin they ar employed being equallie commone to all, could not di-
vyde. 3. Haveing already many of them fupplicate by feverall paroches and prefbytries, and found it convenient to joyne in the generall Supplicatione, to difjoyne wer to condemne their former proceedings. 4. Severall Supplications may admitt feverall anfwers, which one and the fame Supplicatione could not admitt. 5. The whole Commiffioners profest, if they fould appear and petitione feverallie, they wold become fo hatefull to thefe who had entrusted them, as they could not be answerable, nor durst not turne home for fear of their diflyk; and wher the generall meitting was brandit with the imputatione of unlawfull convocatione, it was far other wayes, their caus being religione, their end juft, their meitting peaceable, and their proceedings orderlie. Twelve of the Commiffioners wer appoynted to declair thir reafones to the Thesaurer and Privie Seall upone Monday afternoon; and that befor the Counfell nixt day they wold use a Declinator againft the Bifchops, who could not be their judges, being their parties. Wherat they feined difcontent, bot the Commiffioners could not change their injunction.

12 December. The Supplicants attend the Counfell at Dalkeith by twelve Commiffioners.

On Tuyfday, 12 December, the Commiffioners goeing to Dalkeith, to attend the Counfell, and present a bill to their Lordships relative to their former Supplications, wher they defyred their Lordships might either answer this and their former Supplications, or els represent them all to his Majeftie, as the copie of the faid bill heirto annexed doth bear. The Lords of Counfell fent out their Clerk, defyryng them to fend in their bill. The Commiffioners (finelling this was to fhunne the Declinator of Bifchops as judges, the Bifhop of St Andrewes fitting then in Counfell,) refufed, becaus they wer ther to present it themselves, and had funthing to fpeak for further cleiring of their mynds. The Counfell fent out their Clerk againe, and defyred the Noblemen to present their bill, the Barrons theirs, and fo furth, everie one of them feverallie. This the Commiffioners refufed, becaus they

wer directed to present one for all. The Clerk was sent forth the thrid tyme, and desired that seven or eight of them might come in and present their Bill, without distinctione of what Estate they wer. They answered, they wer already few enowe, being bot twelve, and wer appoynted by the Commissioners who represented the body of the Supplicants of everie Estate. This answer seimes to have been ill reported, as thogh they had called themselves the representative body of the whole Estates. Whereupon the Counsell abruptly dissolved, Thefaurer, Privie Seall, and some others of the Counsellors come to the Commissioners, seiming offendit at that ill reported expresse; bot receaving presentlie satisfactione, they craved the bill to carie in, that the Counsell, advyseing therewith that night, might the sooner exped them the nixt day. It was refused, becaus they had order to present it to the Counsell, and not to Counsellors, and had sumthing to speak for further declairing of their myndes, which requyred a judiciall representing of it; so the hearing was continued till the nixt Thursday. Bot sum Counsellors, viz. Southesk, Angus, Lorne, in private desired a sight of the Bill and the last Supplicatione, which wer reported to containe such things as wer against the Kings prerogative, and Acts of Parliament; wherof they wer cleared.

Returning to Dalkeith on Thursday, 14 December, as they wer appoynted, the Counsell sent out two of their number, to shew they wold neither receive their former Supplications nor present Bill, except ther wer sum passages of the Supplicatione changed, viz. wher it is said, in the beginning of the Supplicatione given in the 18 October, "The Archbishops and Bishops of this realme," it might be added, "or at least sum of them;" and in the end therof, wher it is said, "This mater might be put to a tryell, and these our parties taken order with," &c. the words "these our parties" to be left out, and the sentence rune thus, "This mater may be put to tryell, and taken order with," &c. Bot the Petitioners refused to alter any thing contained in the Supplicatione, they being entrusted with a commissione only for advanceing therof, wherin, since they complained on a fault, they behoved to complaine upon sum partie faultie. After sum treatie, to and

December
14. The
Supplicants
attend the
Counsell at
Dalkeith.

Supplicants
resolved on
a Protesta-
tion.

fro to this end, the Lords of Counsell raise abruptlie, and departed by another doore then wher the Commiſſioners were waiting. The Commiſſioners being twyſe reſuſed a heiring, reſolved upone a Proteſtatione againſt the nixt Counſell day, wherin they proteſted for an immediate recourſe to their ſacred Sovereigne for a redreſs of their juſt grievances, and in a legall way and maner to proſecute their perſuits beſore the ordinarie competent judges, civile or eccleſiaſticall, againſt ſic perſons and crymes as they complained upone, ſeing the Lords reſuſed them hearing.

19 Decem-
ber. Twelve
Commiſſion-
ers attend
the Counſell
at Dalkeith.

On Tuyſday, 19, the twelve Commiſſioners forſaid returned to Dalkeith, wher ſum of the Counſell dealt with them to continue giving in any Proteſtatione that day, and they will promiſe they ſhall have a full hearing Thurſday nixt, at which tyme either the Proteſtatione or Supplicatione ſhall be received. The Petitioners thoght that might prove a third delay, and therſoir reſolved to proteſt; and fearing leaſt the Counſellers ſould have paſſed away without giving them anſwer (the counſell hous having tuo doores), ſent a copie of the Proteſtatione to each doore with ſum of the Supplicants; bot the Counſellers was content to aſſure their full hearing on Thurſday, and to give them a judiciall warrand of Counſell therupone. Bot a Bill from the Petitioners behoved to proceid, which they wold not give in without a Declinator while the Biſhop of the Iſles removed himſelf. The Biſhop depairting, they gave in the Bill, and obtained the Counſells delyverance.

21 Decem-
ber. The
Supplicants
get a hear-
ing of the
Counſell at
Dalkeith,
propone a
Declinator,
and preſent
their new
bill and for-
mer ſuppli-
cations.
Londones
ſpeache.

Upone Thurſday, the Commiſſioners wer called beſore the Counſell, wher the Theſaurer offering to them a full hearing, the Petitioners proponed their Declinator, and took instruments in the clerks hands, preſented their Bill, and the double of their former Supplicationes. And one of the Noblemen ſpoke to this effect;—He ſumarlie deduced the progreſs of the whole cauſe, and the great importance therof, being the defence of religione and the lawes of the kingdome, on which dependeth the weillſair of church and commone weall, the dewtie they owe to the Almighty God, the alleadgence to their Sovereigne Lord and Maſter the King, the conditione of lyff, libertie, and fortune heir, and their happines heirefter. He related the particular inno-

vations complained of, contrair to the Acts of Parliament, and Acts of Nationall Assemblies, and the illegall introductione. He remonstrate the extremitie subjects wer put to either to break covenant with God established by the lawes of the land, or fall under the danger of rebellione by charges of horneing and excommunicatione; for eviteing wherof, they had resolved, in a most orderlie and humble way, of supplicating, and wer much encouraged to follow that way by his Majesteis late declaratione, since the innovations complained upon ar contrair both to the religione and lawes of the kingdome, againt which his Majestie hath declaired he intends nor will allow nothing; therfor humblie defyred their Lordships to send sum of their pryne Officers of State to informe his Majestie. Efter him, one of the Ministers spoke to this effect;—That their Lordships wold be pleased to tak ane buslines of such a weight to their ferious consideration; that it concerned the honour of the ever-living God, and the loyaltie they ought to their Sovereigne, to give his Majestie full informatione wherin and by whom he was wronged; that this was the way to honour and happines, for fearing God, he wold build them houses; that their auncestors had conveyed the truth unto them upon all hazards, and nothing wold more become them then to transmitt it in puritie to their posteritie, without mixture of humane traditiones abjured in the Confessione of Fath, and by the oath and covenant of the whole land; that God, whose eyes wer upon them, wold not think it enough that they wer not his enemies, if they shunne their testimony at this tyme, remembering the curse of Meros; that their Lordships, with Esther, wold petitione the King for them, if they wold not that comfort and delyverence might come to Israell another way; that they hoped their Lordships, in a deep and divyne providence, wer appoynted for this tyme; that they had to doe with a good and just King, from the influence of whose fatherlie favour to his native kingdome they expected such a comfortable answer as wold fill their hearts with praises and prayers for his Majesteis long lyfe and happie raigne, and for their Lordships, as the blessing of the land. Another spoke to this purpose;—That ther had been many weightie affaires befor their Lordships, bot never any of such importance;

Mr James
Cuninghame
his speache.

Mr Thomas
Ramfay his
speache.

that he himself had been oftymes before them about papists, and never parted bot with great contentment, which he expected much more being befor them about Poperie itselfe, the feids of whose superstitione and idolatrie wer thick fawen in the Service-book, and its hierarchicall tirrany in the Canons and High Commiffion; that Augustine, on the [110] Psalme, made mentione of thrie forts of Antichrists, wherof the first was cruel, the nixt craftie, the thrid and maine Antichrift was craftie and cruell; that in the Service-book was craft, in the Book of Canons crueltie; that he had been in England, and had observed the great trouble it broght to the best and ablest ministers, and disturbance in the kingdome, thogh establisshed by law; and what may be expected upone a worse without law?

My Lords Thesaurer and Privie Seall exhorted the ministers to possesse the people with loyall affections to the King. It was answered, that their consciences and hearts could bear them witnes how they had endeavoured themselves therto; neither ever had they a thought to the contrair; and whatever had escaped his Majesties hand concerneing these books and other novations, that his Majestie was wronged, efter the maner that Haman wronged Ahaferus. It was added by a nobleman, that inter assurance therof had past among the Supplicants of all Estates long befor that tyme, it being a speciall point of all their cares.

The Commiffioners being removed, and staying a whyle, wer called in againe, and told by the Thesaurer, that, leaft ther fould be ambiguitie in words, the Lords had set doune their answers in writt, which he comandit the Clerk to reid as follows:—

“ The Lords of Secret Counsell haveing heard and considered the supplication and petitiones, given in by the noblemen, barrons, burgessees, and ministers, and finding the matters therein contained to be of that weight and importance that they cannot determine therein till his Majestie be acquainted with the same, and his royall pleafour returned theranent: Therfoir, the saids Lords, for answers to the saids petitions, Declaire that they will represent the same to his Majesties royall consideratione, and that without prejudice of the Declinator given in by the saids Supplicants wherupone they

Mr. James
Cunninghame.

Roths.

Counsell
answer to
the Suppli-
catione, 21
December.

falbe heard in tyme and place convenient, and in the mean tyme fall receive no prejudice."

In this short Relation is contained the haill proceidour anent the Books of Canons and Commone Prayer, with the High Commiffione, and that, fince the 18 October, 1636, till the 21 of December, 1637; wherby the high prefumptione of Bifchops, intending fo great alteratione on the publick worfchip of God, without warrand in law and confent of the church, cannot be fo weill understood as by a more full and large Informations of our Reformatione, the perfectione wherof, both in doctrine and difcipline, the often ratificatione by Nationall Affemblies and Parliaments, and the continuall practife of the fame, may make the courfe to appear the more abfurd. The want of arguments to perfuade, or force to compell, or any confiderable number to countenance or give way, makes it feim admirable that they interpryed to impofe fo many and hudge novations upon frie fubjects, in cuftome to be ruled be the lawes, and not ignorant either of law or religion as to admit any of fo many bad injunctiōes. This courfe wanted religious confideratione and warrand, and was even againft the rules of civile policie, which forbid any change in religione without the appearance of fome farr greater good, and people prepared to believe fo, or very great force to compell their embracement, religione having greateft power of all things over the hearts of men, either in oppiniōe or really; and we may perceave it hath proceidit from the blind fouldit mynds fo prepofterouflic hafting to fill up the meafor now discoverable, and no more fupportable. This confufione may be one of thefe wherof the Lord many tymes bringeth order, and wherin, appearantlie, we may expect the purgatione of this our profeffione by that his wonderfull dealling in withholding from them both fpirituell and civile wifdome and counfell, and fo ruleing his owne in the whole courfe of this buffines as they have never bein moved to ufe any fuch violence as hath bein often practifed in the lyke cafes of provocatione. The ruder and more ignorant fort have gone no further then crying and fpeaking, and thefe of better qualitie and understanding have only petitioned, folicted, and informed his Majeftie by his Counfell; yea, with all patience

Conclufione
of the Firft
Informa-
tiōe.

hath endured such delays as could not bein expected in so important matters, proponed by so considerable parties, knoweing the same procured by their adversaries interest in the highest places of the state. Everie one resenting the generall evill now come to so great a light, wer carried by secret motions and inclinations of their own hearts to these places in publict meittings wher they might expect hearing and redresse, and so wer gathered to petitione and informe together, being conveyed for the most part by the warnings of him who moveth immediatlie the hearts of men, who did regulate all their proceedings in a religious and legall way, with patience to tollerat the false and groundles reproaches of their adversaries. And although by daylie growing numbers they wer tuentie for one, yitt did they vent no word nor act of violence, bot still seiking remead by law, do undoubtedlie expect the same from the hands of their just King, efter that his Majestie is rightlie informed of their proceeding. And to that end, they ar hopefull and confident, these statesmen (who ar intrusted by the Lords of Counsell for representing to his Majestie their judgments anent the thrie Supplications given in to them,) will by this preceeding true Relatione of the humble behaviour of the Petitioners in so great and weightie ane affair, clear his Majesteis mynd from all misconceptiones arising from the misinformatione of their adversaries of the Supplicants or their proceedings; that by the continuance of his Majesteis wonted favour to the whole Supplicants, and speciallie to his Majesteis antient citie of Edinburgh, in restoring to them their ordinarie judicatories (wherof the removeall is a prejudice to the whole kingdome) in the accustomed seats of justice, as the gracious tokens and fruits of his Majesteis favour, they may be encouraged to continue in all humble service of dutifull subjects, and to pray for his Majesteis prosperous and long raigne over us.

HEIR FOLLOVES ALL THE PRIVATE PASSAGES, FROM THE 6 DECEMBER TO THE END THEROF, NOT CONTAINED IN THE HISTORICALL INFORMATION, BOT MARKED WITH INCLOSERS.

The Noblemen choyfed advocats, with whom they advyfed all their buffines, viz. Messrs. Roger Mouat, James Baird, Thomas Pierfone, Thomas Nicholfone younger, and Archibald Johnestone, anent the High Commission, and illegalitie therof; anent their meittings, if they might anſwer for them in law, being for a juſt cauſe, and in a peaceable maner, with a legall proceeding; anent theſe who ar introducers of theſe innovations and exclames againſt them as ſeditious, how farr they may proceed againſt them in law; anent the proceedings of the people in Edinburgh, Glaſgow, and Brichen, how far they might be broght within compaſs or defendit by law. The noblemen advyfed anent the Univerſities, to be advertiſed about reading of books of unfound philoſophie, and unfound divinitie, and ſum Commiſſioners to be ſent for that effect.

The Suppliants choyſe advocats, and advyſe with them.

Theſaurer and Southek meitting in Duries houſe at their returne from Lithgow, ſent for Rothes on Fryday, 8 December, at night, Dury being preſent, wher the Theſaurer ſpoke to Rothes more frelie then ever; having never befor ſhown directlie his owne particular diſlyke of the Service-book, did ther declair he wold rather lay doune his whyte ſtaffe then practice it, and wold writ his mynd frelie to his Maſteſtie; bot did rune much upone ſome ſatiffactione to the Kings Maſteſteis honour, by getting Edinburgh ſubmitted, either by legall perſuite or voluntarie ſubmiſſion; and gave all vowes and oathes that he ſould bleed ſooner then any of them loſe lyfe or blood; bot only that the King might be ryghted in the eyes of the world for the contempt which appeared to proceed from this people to his authoritie. When Rothes was gone, Theſaurer expreſt to Southek and Dury that he wold have the keyes of the toun, and charter of their liberties, delyvered to the King, and ſix Commiſſioners from the toun publictly proſtrate themſelves befor the King as he wes goeing to the chappell at

Rothes meits with Theſaurer.

Theſaurers overture anent the Toun of Edinburghs ſatiffactione to the King.

Whytehall tuo feverall dayes ; and upone the thrid day, upone the Scots Counfellers that wer at court their prostrating themselves with the Commissioners befor the King, the King wold redelyver their keyes and charter of their liberties, and pardon them.

Names of the
Commission-
ers,

The Commissioners that went the 9 of December wer Rothes, Montrose, Lyndefay, and Loudone, and the Laird of Auldbarr. And ther went upone the eleventh day the four noblemen forfaid ; and of barrons, Auldbarr and Keir, Cuninghamheid ; and of burrowes, James Cochraine and Thomas Partefone for Edinburgh, and [] for St. Johnstone ; of mi-

Roxburghes
passione,

nisters, Mr. Alexander Henderfone and Mr. David Dick. My Lord Roxburgh did flee out in many great oathes, that we wold irritate a good King, in dealing with him in so peremptorie and rude maner ; acknowledging, withall, that the hand of God was in it, and that he feared he wold imploy all his power to maintaine that which we fought in so rude a maner to overthrow. Mr. Henderfone did reprove him for his oft swearing.

A Letter from the Counsell to my Lord Sterline, efter the two first Dyetts at Dalkeith.

Counsell
Letter to
my Lord
Sterline, 14
December.

Our verrie honorable and good Lord,

The Earle of Roxburgh, upon the 7 of this instant [produced] to his Majesteis Counsell his Majesteis letters directed to them, to wait on for a frequent meiting of the Counsell ; for obedience wherof letters wer ordained to be directed to all these of the Counsell who wer not present ; which was done. The other letter was the letter of trust, and withall commanding the Counsell to take the readiest way for vindicating his Majesteis honour and fetling the peace of the kingdome. Therefter the Earle of Roxburgh did signifie his Majesteis pleasour anent the places of Counsell and Sessione ; according to the which, the Lords preferring his Majesteis commandements to all particulars, ordained the Counsell to sitt at Dalkeith till the 1 of February, and the Sessione than to be begune and held at Stirling. Therfor, the Earle of Roxburgh represented his Majesteis favour and declaratione anent the mitake of his Majesteis intencion in the maters of the Service-book, according wherunto the Counsell ordained proclamatione to be made, (wherof we have heirwith sent your Lordship a double,) which was published at all the publict places of this kingdome, and which we caused to be done at Lithgow befor our removal, and therefter at the Mercat Croce of Edinburgh, in most solemne manner, with displayed coat of armes and found of trumpet ; which gracious expresseione was accepted in all humilitie and thankfulnes be his Majesteis subjects. Therfor, the Counsell mett at Dalkeith on Tursday and Wedinsday, being the 12 and 13 December, wher they entered upone consideratione of the way of the tryells of the troubles of Edinburgh, and of the causes and effects, authors, actors, and whole circumstances therof, and continued the mater till

Tuyſday nixt, upone a motione made to the Counſell be the Proveſt of Edinburgh. Therefter, ſome of the noblemen, barrons, and burgeſſes, and miniſters, in a moſt humble and modeſt way, according to the order taine the 15 November, deſyred to be heard, and offered to give in a Petition; bot the Counſell, being carefull to follow his Maſteſcis grations commandments and directions, which wer repreſented to them by the ſaid Earle of Roxburghe, entered in a ſerious conſideratione how far they might receive petitions, and in what nature; wherin the Counſell debated and laboured the moſt pairt on Tuyſday and all Wedneſday, and finding ſum things to tend to informations againſt Biſhops, in their cariage concerneing the Service-book, the Lords abſolutlie refuſed to receive any thing of that nature, and expected to hear no more of this petition; and upon Tuyſday we ar to meet again at Dalkeith for proſecuting this mater, according to his Maſteſcis commandements. And we reſt. From Dalkeith, 14 December, 1637.

After their return to Edinburgh, on Thurſday 21, that ſame night it was thought fitt in the Committie to draw up a Hiſtoricall Informatione for cleiring our proceedings from calumnies; to draw up informatione againſt the Service-book, Book of Canons, High Commiſſion; and to ſpeak the Theſaurer and Privie Seall;—1. Since they wer the pryme ſtateſmen, and this was a buſſines of cheif importance, they wold be pleaſed to be the carriers of what was to be addreſſed to his Maſteſtie; 2. That the uſe of the Service-book might be diſcharged in us als weil as it is left off in other pairts; 3. Concerneing the impunitie of the Toune of Edinburgh. For ſpeiking with the ſtatſmen, the fore-named noblemen wer appoynted, and upone the morne ſpok with them. To the Firſt they ſhow their irrefolutione concerneing the way of ſending things to his Maſteſtie; and for themſelves they wer unwilling to undertake, except they wer called for by his Maſteſtie; 2. They could not, except ſum of us wold ſupplique for that effect; for if they did, the Biſhop wold complaine of them, as diſchargeing it ther wher it was in peaceable poſſeſſione; 3. They did give nothing bot ſhifting and doubtful answers to Lyndeſay, who did propoſe it.

Suppliants
reſolve on a
Hiſtoricall
Informatione,
December 21.

By four Noblemen
ſpeak Theſaurer and
Privie Seall.

Supplicatione of the Miniſters in St Andrewes Preſbitrie, 23 Auguſt 1637.

My Lords of Secret Counſell, unto your Lordſhips humble meanes and ſhowes, Wee, your ſervitours, Mr. Alexander Henderſone miniſter at Lewchaſes, Mr. George Hamiltone miniſter at Newburn, Mr. James Bruce miniſter at Kingſbarnes, that wher we wer requyred of late by the Moderator of our Preſbitrie to receive tuo copies of the new Book of Commone Prayer, and declaring ourſelves willing each of us to receive one of the ſaids books to reid, that we might

[Supplicatione of Miniſters. See page 5.]

know what it contained befor we could promise to practise it, alleading that in the maters of Gods worchip we are not bound to blind obedience, it was refused us, and taken out of sum of our hands; and yitt we ar now charged with letters of horneing directed be your Lordships, npone a narrative that we refused the said books, ont of curiositie and singularitye, to provide each one of us tuo of the saids books for the use of our paroches, which hath made us, who wer never befor acquainted with any charge from authoritie, and knowing no other way so iust and void of offence, to have our recourfe to your Lordships, most humble intreating that the charges may be suspended, for the Reasones following:—

1. Becaus this Book is neither warrantit by the authoritie of the Generall Assemblie, which ar the representative kirk of this kingdome, and hath ever since the Reformatione given direction in matters of Gods worchip, nor be any Act of Parliament, which in things of this kynd hath ever bein thought necessarie by his Majestie and the Estates.

2. Becaus the liberties of the true church, and the forme of worchip and religione received at the Reformatione, and univversallie practised since, is warrantit by the acts of Generall Assemblies and diverse Acts of Parliament, especiallie the Parliament 1567, and the late Parliament 1633.

3. The Kirk of Scotland is a free and independant kirk, and her owne pastors should be most able to discern and direct what doeth best beseeem our measour of reformatione, and what may serve most for the good of the people.

4. It is not unknowne to your Lordships what disputing, division, and trouble hath been in this kirk about sum few of the many ceremonies contained in this Book, which being examined, (as we false ready, a competent tyme being assigned by your Lordships, to shew,) will be found to depart farr from the forme of worchip and reformatione of this kirk, and in points most materiall to draw near to the Kirk of Rome, which, for her heresies in doctrine, superstitione and idolatrie in worchip, tyrannie in government, and wickednes everie way, is as Antichristian now as when we came out of her.

5. The people have bein other wayes taught by us, and be our predicefours in our places, ever since the Reformatione; so it is lyklye they will be found unwilling to the change, [when they shall be assayed,] even wher their pastors ar willing.

In respect wherof, the saids Letters of horneing, whole effects and executiones therof, ought to be suspendit simpliciter in tymes cominge.

Heirfor, we beseech your Lordships that we may have Letters direct, chargeing the persones who have caused use this charge against us to compeir personallie, bringand and produceand the saids Letters of horneing, with the executiones and indorlationes therof, befor your Lordships at a certane day, to be sein and considered, &c. And in the mean tyme to suspend, &c. and your Lordships answer.

Informatione for Noblemen Counsellors given by Ministers, 23 August, 1637.

[Informatione for Noblemen Counsellors.]

First, The Book of Commone Prayer hath no warrant of Nationall Assemblies, which in all nationes should direct, and in this natione doth direct in the maters of Gods worchip ever since the Reformatione.

2. It hath no warrant of the States of Parliament, without whose consent to alter the forme of worchip, and to enjoyne all his Majesties subjects, alswell civile as ecclesiasticall, to receive

any forme of worship, under the payne of rebellione, we desyre to consider how important it is.

3. The forme of worship here is ratified by the Parliament 1633, and consequentlie all different formes (such as this is) are forbidden.

4. This kirk is a free and independant kirk, such as the kingdome is a free and independant kingdome, and our owne Parliament can best judge what is for the good of the kingdome; so our owne pastors could be most able to judge what forme of worship best becometh our measure of reformatione, and what serveth most for the good of the people.

5. This Book destroyeth all the order of kirk-sessions, presbiteries, and assemblies, and putteth the censure of doctrine, admittance of ministers, and the whole government of the kirk assemblies, in the hands of Prelats.

6. It establisheth a reading minister; whoever can reid the Book may be a minister; and he who is best gifted must say no more nor he readeth, whether in prayer, baptisme, or communion.

7. It preferiyes Apocriphe to be red, as it wer the foundatione of the prophets and apostles; hath many grose points of Poperie, and openeth a wyd doore by generalities and ambiguities of speach to many moe; as we false readie, and are most desirous to be employed to manifest in particular, upon a competent tyme granted to us by authoritie.

Supplicatione, 20 September.

My Lords of Secret Counsell, unto your Lordships humble meanes and shewes, Wee, Noble-men, barrons, [ministers,] burgesses, and communes, occasionallie here present, being most desirous to testifie our loyaltie to our dread Sovereigne, and to give obedience to his Majesties royall commandements, and considering that this new Book of Commone Prayer, which all his Majesties subjects, both ecclesiasticall and civill, by open proclamatione, are commaundit to receave with reverence, as the only forme to be used in Gods publick worship in this kingdome, and the contraveners to be condignlie censured and punished, is introduced and urged in a way that this kirk hath never been acquainted with, and containeth many verrie materiall poynts contrarie to the acts of our Nationall Assemblies, his Majesties lawes of this kingdome, and the religione and forme of worship established and universallie practised, to the great comfort of all Gods people, his Majesties subjects, since the Reformatione, which may tend to the great disquieting of their consciences, and to the hinderance of that harmonie and comfort, which from the influence of his Majesties government all do pray for, and we doe still expect; We doe, therfor, in all humilitie, supplicate that your Lordships, out of your care of religione, so serioullie recommendit to your Lordships by his Majestie, and your compassion of our present caise, wold be pleased fullie to represent unto his Majestie these and the lyke considerations knowne to your Lordships, that this affair of so great importance may not appear to his Majestie to be a needles noise; but as it is indeed the verrie desyre of our hearts for the preservatione of true religione amongst us, which is dearer to us then our lyves and fortunes; and if this be refused, We humble crave a hearing of your Lordships of our just grievances befor your Lordships conclusion, that by your Lordships counsell sum way may be found wherby we may be deliyvered from the fear of this and all other innovations of this kynd, and may have the happines to enjoy the religione, as it hath bein, by the great mercie of God, reformed in this land, and is au-

[Supplicatione of Noblemen, &c.
See page 7.]

thorised by his Majestie, who may long and prosperoullie raigne over us ; and your Lordships answer.

Supplicatione of the Toune of Glasgou, 20 September, 1637.

[Supplicatione of the Town of Glasgou. See page 8.]

Unto your Lordships, his Majesties most honorable Privie Counsell, humble meanes and shewes, Wee, his Majesties most humble and loyall subjects, the Burghie and Citie of Glasgou, That wheras our pastors, in obedience to your Lordships charge, haveing coft for us the Book of Commone Prayer, and communicate the same with us and the inhabitants of the said burghie, wee find many things therein so farr discrepant from the forme of the publict worship of God, which, according to the lawes of this realme, both civil and ecclesiasticall, we have practised since our happie reformatione from Poperie, and many lykwayes which our weak judgements cannot comprehend whither they tend, and some also vaeing from the rites of our sister Church in England, that our hearts doe tremble, and our weak consciences will not suffer us to embrace and practise. We have bein unwilling to oppose the beginnings of alteratione from the uniforme practise in publict worship in this realme since the first Reformatione, bot gave way to what was concludit by the acts of a Generall Assemblie and Parliament, being put in hopes from tyme to tyme that the alteratione shoud proceed no further ; bot now ar appealed with fears to see our selves *brevi manu* deprieved of that libertie in serving God, which both state and church approved by publict authoritie, and constrained to embrace another, never so much as either agitate in Generall Assemblie or authorized by Parliament. In such extremitie, whither shall we have recourse but to your Lordships, the commone fathers of this countrie, and his Majesties most faithfull Counsellors, whose deep judgement, credit with our Sovereigne, and zeall of Gods glorie, is such, that we took some comfort in this our straite, and hope that your Lordships will not disdaine this our humble suite, but will represent this our present case to our Sacred Majestie, and find out sum safe way to delyver us from our fears, and innovatiōe of religione, that we may be encouraged to serve God and his Majestie, and pray as for his Majesties prosperitie, so for your Lordships honour here on earth and happines in heaven ; and your Lordships answer.

Supplicatione of Auchterairder Presbitrie, 20 September, 1637.

[Supplicatione from the Presbitrie of Auchterairder. See page 8.]

Unto your Lordships of his Majesties most honourable Privie Counsell, humble meanes and shewes your Lordships servitors, Wee, the Bretheren of the Presbitrie of Auchterairder, within the diocie of Dumblaine, That wheras ther is a Proclamatiōe, commanding a Book of Commone Prayer to be received withiin this kingdome, which is nether warrantit by the authoritie of Generall Assemblie nor Parliament, (which has bein ever used in this kingdome in like cases,) and hath many things contrair to the Confessiōe of Faith and forme of publict worship allowed by authoritie, and practised in this kingdome ever since the Reformatione, and also containeth many grofs and superstitious points maintained by the Romish Church contrair to Gods word, as may be made cleir efter due examinatiōe taken theranent. Therfor, Wee most humble supplicat your Lordships, for the Lords cause, to consider the premisses, and to doe your best endeavours that wee may be free of the same ; and your Lordships answer.

*Supplicatione against the Service-book, with a complainte upon Bishops,
18 October, 1637.*

My Lords of Secret Counsell, unto your Lordships humblie meanes and shewes we under-
 fubfcribers, noblemen, barrons, ministers, burgeffes, and commones, That wheras we wer in all
 humilitie and quyet maner attending a grations answer of our former Supplications against the
 Service-book imposed upone us, and ready to shew the great inconveniences which upone the in-
 troductione thereof might ensue, we ar, without any known desert, farr by our expectationes fur-
 prised, and charged by publick proclamations to depart of the town within 24 hours next thereafter,
 under the payne of rebellione ; by which peremptorie unlawfull charge our feares of a more sum-
 mar and strick proceeding in thir maters are augmented, and the course of our Supplications inter-
 cepted. Wherefor we ar constrained, out of the deep griefe of our hearts, humblie to remonstrate,
 That wher the Archbithops and Bithops of this realme, being intrusted by his Majestie with
 the governement of the affairs of the Kirk of Scotland, have drawne up and fet furth, or caused
 to be drawne up and sett furth and enjoyned upon the subjects, tuo Bookes ; in the one wherof,
 called the Book of Commone Prayer, not only are saven the seeds of divers superstitions, ido-
 latrie, and falsie doctrines, contrair the true religione establisched in this realme by diverse acts
 of Parliament, bot also the Service-book of Ingland is so abused, especiallie in the matter of the
 comunione, by additions, subtractions, interchelling of words and sentences, falsifying of titles,
 and misplacing of collects, to the disadvantage of reformatione ; as the Romish masse, in the
 maine and substantiall points, is made up therein (as we offer to instruct in tyme and place con-
 venient) clofe contrair unto, and for ranversing the grations intentions of the blessed reformers of
 religione [in Ingland]. In the other book, called Canons and Constitutions for the governement
 of the Kirk of Scotland, they have ordained, that whosoever shall affirme that the forme of wor-
 ship contained in the Book of Commone Prayer and Administratione of the Sacraments (wherof
 heirtofore and now we most justlie complaine,) doeth contain any thing repugnant to the Scrip-
 tures, or ar corrupt, superstitious, or unlawfull in the service and worship of God, shalbe excom-
 municat and not restored, bot by the Bishop of the place, or Archbithop of the province, after his
 repentance and publick revocatione of these his wicked errors ; besides 100 canons moe, many of
 them tending to the reneweing and fostering abolished superstitiones and errors, and to the over-
 throw of our churche discipline, establisched by Acts of Parliament, opening a doore for what
 further innovations of religione they please to make, and stoping the way, which law befor did
 allow to us, for suppressing of errorr and superstitione, and ordaineing that wher in any of the ca-
 nons ther is no penaltie expresse sett down, the punishment shalbe arbitrarie, as the Bishop
 shall think fittest ; all which canons wer never sein nor allowed in any Generall Assemblie, bot
 ar imposed contrair to order of law, appoynted in this realme for establisching of matters ecclesi-
 asticall ; unto which tuo Bookes the forsaide prelates have under trust procured his Majesties royall
 hand and letters patent for pressing the same upone us his loyall subjects ; and yitt ar they the
 contrivers and devysers of the same, (as doth cleirly appear by the frontispiece of the Book of
 Commone Prayer,) and ar begune to urge the acceptance of the same, not onlie by injunctions
 given in provinciall Assemblies, bot also by open Proclamations and charges of horneing, wherby
 we ar driven in such straits, as we must either by processe of excommunication and horneing
 suffer the ruin of our estates and fortouns, or else, by breach of our covenant with God, and for-

[Supplica-
 tione against
 the Service-
 book. 18
 October. See
 page 16.]

faking the way of true religione, fall under the wrath of God, which unto us is more grievous then death. Whairfor, we being perswadit that these their proceedings ar contrair to our gracious Sovereigne his pious intentione, who, out of his zeall and princelie cair of the preservatiōne of true religione, establisched in this his ancient kingdome, hes ratified the same in his Hienes Parliament, 1633, and so his Majestie to be heighlie wronged by the said Prelatts, who have so far abused their credit with so good a King as thus to ensnare his subjects, perill our kirk, undermyne religione in doctrine, sacraments, and discipline, move discontent betuixt the King and his subjects, and disorder betuixt subject and subject, contrair to severall Acts of Parliament, do, out of bounden dutie to God, our King, and native countrey, complain of the forsaide Prelatts, humblye craveing that this matter may be put to a tryell, and these our parties taken order with, according to the laws of this realme, and that they be not suffered to sitt any more as our judges, untill this cause be tryed and decydit according to justice; And if this shall seem to your Lordships a matter of higher importance then ye will condescend unto befoir his Majestie be acquainted therwith, then we humblye supplicat that this our grievance and complaint may be fully represented to his Majestie, that, from the influence of his gracious government and justice, thir wrongs may be redressed, and we have the happinefs to enjoy the religione, as it hath bein reformed in this land; and your Lordships answer.

*Bill of the Supplicants given in at Dalkeith,
21 December, 1637.*

[Bill given
in 21 De-
cember. See
page 38.]

My Lords of Secret Counsell, unto your Lordships humblye meanes and shewes, wee, noble-
men, barrones, ministers, and burrowes, appoynted to attend his Majesties answer to our humble
petitions and complaints, and to give in remonstrances, and to preferre new grievances, and to
do what else may lawfullie conduce to our humble desyres, having now at length, both sever-
rallie and with them that hath sent us, more larglye considered how deep this matter draws,
and how important the consequences therof may be, farr above any thing that doth or may con-
cerne us in this present lyff; that wheras, upone the 20 September last, we presented a humble
Supplicatione to your Lordships, and another upone the 18 October last, wherunto we now ad-
hear, and did therein humbly remonstrate our just exceptiones against the Service-book, Book of
Canons, as also against the Archbishops and Bishops of this kingdome, as the contrivers,
mainteiners, and urgers therof, and against their sitting as our judges untill this caus be decydit,
earnestlie supplicatting withall to be freed and delyvered from these and all other novations of
that kynd, against the laudable laws of this kingdome, as that of the High Commission and other
evills particularlie mentioned and generallie contained in our forsaide Supplicationes and Com-
plaint, and that these our parties, delinquent against our religione and lawes, may be taken order
with, and these our pressing grievances may be redressed, according to the lawes of this realme,
as our forsaide Supplicationes and Complaint, and the just doubles therof heirwith reproduced, at
more length doth bear; and seeing we, your Lordships humble Supplicants, have, with a great
deall of patience expected, bot as yitt hath received no answer at all to these our humble de-
syres, and so ar still lyable to the great danger of these pressing evils, which tendeth to the utter
ruine of true religione, establisched and practised in this kingdome, and of our whole estates
and liberties; lyk as, since the presenting of these our humble Supplicationes, as at dyverse tymes
befoir, many of these prelatts have putt in publict practise by themselves, and have pressed to be

practised by others, the forsaide unlawfull Bookes, that containe diverse superflitions and points of Poperie, which his gracious Majestie doth heartilie abhorre, as being contrair to the word of God, and against the laudable lawes of this realme, according to his Majesties intentione gratiouslie declared in the last Proclamatione made at Lithgow and Edinburgh, 7 and 9 days of December instant; lykeas, sum of the ministers of Edinaburgh and other places have privatlie in their speaches, and publictie in their sermons, traduced and slandered our legall proceedings and humble Supplications with the odious and intollerable imputatione of rebellione and conspiracie against authoritie, and have laboured to defame us his Majesties good subjects with the names of rebels and feditious bankrupts; therfor, we do most earnestlie crave that your Lordships wold be pleased to reid, consider, and give present answer to our forsaide Supplicatione and Complaint, or represent the same fullie to his Majestie, as the equitie of our cause, and great importance therof, doth requyre; and for the better satisfieing our just desyres, we humble beseeche your Lordships to interceid with his Majestie, that, by your Lordships mediatione, warrand may be obtained to the judges competent, alswell civill as ecclesiasticall, for a formall and finall determinatione of these our pressing grievances; and that warrand may be given be your Lordships for pressing and calling befor you all these who have thus wronged us in the point of our alleadgence and loyaltie to our gracious Sovereigne, against law, and contrair to his Majesties late declaration; and your Lordships answer.

Declinatour given in that same day.

Wee, noblemen, barrons, burrowes, miniters, appoynted to attend his Majesties answer to our humble Petitiones, and to do what else may conduce lawfullie to our humble desyres, do crave that all Archbishops and Bishops may be declyned, and not permitted to sitt as our judges, nor to vote or judge in the answer or answers to be made or given by your Lordships to our Supplicatione and mater of our Complaint therein contained, becaus the said Archbishops and Bishops ar by the said Supplicatione, and whole strain therof, made our direct parties, as contrivers, devysers, introducers, and maintainers, and ugers upone us and others his Majesties good and loyall subjects, of the booke called the Book of Commone Prayer, and the other called the Book of Canons and Constitutions for the government of the Kirk of Scotland, both altogether unlawfull; and also they are made our parties for being authors of sundrie other innovations and just grievances, in maner and for the reasons at length mentioned and sett doune in our said Supplicatione, or in one or other of them; and therfor, out of bund dutie to God, our King, and native cuntry, have, by our said severall Supplicationes, complained to your Lordships upone the saids Prelatts, and have humble creaved that the mater therein contained may be putt to tryell, and the Prelatts our parties taken order with, according to the lawes of this realme, and not suffered to sitt as our judges untill the cause be tryed and decydit according to justice; and so the saids Prelatts being our onlie parties upone whom we have at this time complained, they cannot sitt as our judges, and therfor must be declyned, according to the laudable lawes of this and all other nations in the lyke caise.

[Declinatour, 21 December. See page 38.]

First Histo-
ricall Infor-
matione
drawn up.

On the day of December, the meiting of the noblemen, barrons, &c. dissolved; and ther was appoynted to stay behind, for drawing up the Histo-ricall Informatione, my Lords Rothés, Loudon, and Balmerinoche. Rothés haveing finished his draught, upone the 28 December delyvered it to Balmerinoche, who shewing the same to Loudon, and he did take out fundrie things therof which he had omitted in his owne relatione. Both being put in the hands of Balmerinoche, wer delyvered by him to Mr. Archibald Johnestone, who made choyse of Rothés draught, and by Balmerinoche his advyse added funthing therto, viz. concerneing the letters writ by the Toune of Edinburgh to the Bishop of Canterburie and Lord Sterline, and the letters from Canterburie to them, which he did upone the sight of letters that Rothés had never seín; also mendit sum words.

Provest
dealls with
Edinburgh
Counsell
to supplicate
severallie,
because a
Nobleman
had said they
wold forsake
them if they
wer persued.

Upon the 29 December, the Provest of Edinburgh comes to the Toune Counsell, wher he had not bein of a long tyme, and ther preffing them to petitione by themselves, and sunder from the commone Supplicatione, upon that reasone that a Nobleman had said to a Privie Counsellor, that the noblemen wold leave the toun to themselves, if they could be persued criminallie for their tumults; which lying heavie on the Toune Comissionars, James Coch-rone, Johne Smyth, and Thomas Paterfone, who had persuadit the whole Toun of the contrair, upone the many assurances given by the noblemen to them, made sum of the nobilitie, gentrie, burrowes, and ministers who wer still in the toun meit together at Johne Eliotts house, and reassüre the Comissionars of their constant promised unione with the Toun. The nixt morneing they mett againe, and Sir Johne Sinclair, William Gray, and William Dick, wer desyred to meit with them; to whome they affirmed, that what their Provest had spoke was bot a lie, willing them to give the Toun Counsell assurance that they wer still myndit to the utmost of their power to assit the Toune in all their lawfull defences, and to believe nothing that their Provest spoke to the prejudice of the nobilitie. The Toun Counsell being conveyed that same day, the Provest still pressed the severall way of supplicating, alledging that he had a commission fra the Chancellor,

Thefaurer, and Privie Seall, to deall with them for that effect. It went to voteing, and ther was not one vote to fecond the Proveft. My Lord Thefaurer and Privie Seall alfo professed that he had no fuch commiffione from them, for they had employed Southesk and Lorne in the bufflines; and fo the Proveft was tufle taken with a lie. Ther was much dealling with the Toune efterward to give his Majeftie fome complement by the Thefaurer, and to crave the retorne of Counfell and Seffione, without acknowledging any guilt. Bot neither the Toune Counfell, nor the Noblemen, nor the Commiffionars of barrons and burrowes that wer in toune, lyked weill of this motione; fo that nothing was done to that end, fave a word caft in the end of the Hiftoricall Informatione.

Edinburgh dealt with to give the King a complement.

The Prefident of the Seffione had gone away the 22d December, notwithstanding that his father, the Chancellor, had promifed to the Thefaurer and Privie Seall (who had requyred it at the defire of the nobilitie) that he fould not take journey for ten or tuelf dayes to come. He caried peftiferous directiones and wrong informationes concerneing the haill proceedings of the Supplicants, as the event did testifie. The Thefaurer goeing for court, the January, was defyred to carie with him the Hiftoricall Informatione, which he refufed; yitt was content that the Justice-Clerk (who rode in his companie) fould carie it along with him. The Commiffioners that wer in toune defyred to have copies of the Informatione, bot it was thoght fitt that it fould be fein by their advocatts befor it was difperfed. Mr. Robert Balcanquhell, minifter of Trauent, (who had heard the Informatione read in the meiting of the Commiffionars,) did preoccupie the advocatts, alleadging, that it was too falt and bitter againft the Bifchops. Wherupone they did condemne it in many things. Bot efter that the mater was difpute with them, and they understood what advantages the adverfarie wold take upone their exceptions being rightlie informed, they acquiefced, and wer afhamed at the rafhe rigid censure.

Prefident pofts up againft promife.

The Informatione goes up in the Thefaurers company.

Advocatts opinione of the Informatione.

HEIR BEGINES THE HISTORICALL INFORMATIONE, OF OR FRA THE
15 FEBRUARY, 1638, TO THE MARCH, 1638.

Second Historical Informatione begins.

The Lords of Secret Counsell having receaved from the Supplicants their petitione, complaint, bill, and declinatour of Bischops, at Dalkeith, the 21 December laft, promifing to represent the fame to his Majefties royall confideration, as containeing maters of that confequence wherin they could not determine by themfelves; their Lordfhips wer then earneftlie preffed by the Supplicants not only to recommend thefe, but to entreat the Thefaurer and Privie Seall to carie the Informatione, and informe his Majeftie in thefe maters, which did weill befitt their places, being the greateft affair that ever did fall within the compafs of their confiderations; becaus a dumbe informatione (though never fo exact) was not capable of replies, nor could it anticipate fuch doubts as his Majeftie might propone. This defire was oft repeated in private to my Lords Thefaurer and Privie Seall by diverfe of the Supplicants, with a demonstration of thefe evils which might flow from his Majefties want of informatione and knowledge of the true ftate of buflines heir.

February 15. Two Supplicants fent to Thefaurer.

The longing defire of the Supplicants for their answer made them appoint fum of their number to attend at Edinburgh, for getting and giveing notice of my Lord Thefaurers returne from England; and upon advertifement that he was expected about the 12 or 14 of February, many of the Supplicants reforted thither; who being together at his coming to Edinburgh, February 15, and expecting then answers to their fupplications, tuo of their number were fent to enquire for the fame. Being with the Lord Privie Seall, his Lordfhip denied his haveing any answer to them, or that he knew any certane tyme when they might expect the fame, or by whom; only he believed they fould have it fhortlie. He acknowledged not that the Counfell had recommendit to him the carying and informeing anent the Supplications, bot that his Majeftie had receaved the Supplications, and confidered them. The Thefaurer and Privie Seall, taxing the peti-

tioners for impatience in waiting his Majesties answer, wer answered, It is now neir halfe a year since the first Supplicatione was delyvered to the Counsell in September; and the mater concerneing wrong done to religione ought to have been speedilie repaired by his Majestie, as being the Lords deputie over his people, especiallie for that religione wherto himself is subject allweill as his people, God haveing alwayes expressed such displeasure at the corruptione of his true worship, or introducinge of any feeds of superstitione or idolatrie, which wer alwayes informed of these things we petitioned against, that they are confident they wold have obtained a speedie redress from so good and religious a prince, if his Majestie had been trulie informed, or not prevented by such suggestions as excused or covered the unsoundnes of these books, and wickednes of these other novationes; and assured, if the mater had only concerned their owne lyves and fortunes, they wold have patientlie endured the longest delay of his Majesties resolutione; bot this mater might excuse importunitie in them, and requyred expeditione from his Majestie. They found the Thesaurer spare to discover any thing that concerned that busines; [and they] parted to make ane accompt of their obscure answer.

Upone Fryday morneing, Rothes all alone came to the Thesaurer, becaus the nyght befor when he and Lyndefay was with him, he told Rothes he had many things to tell him in private that most concerned themselves, and had discourse with him the space of tuo hours; wher the Thesaurer seemed to regraite that all our proceedings wer reported to the King by way of Sederrunts, sic a day, sic barrons, sic burgeses, &c. and sic conclusiones; that his Majestie had all our Supplicationes, and all our motiones in December, befor his coming ther, especiallie that of no alteratione, wherat great exceptione was taken, meaning therby, the answer was given to the motione was made and pressed of disjoyning Supplikations; that the King knew who had penned evrie particular, who corrected it, who approved it, and who objected against it; who wer our lawiers, nameing Mr. Johne Nisbet for one of them, who was not; and reporting fundrie other things, which wer meer mistakings and misinformations; thoghe he knew many other things

Rothes conference with Thesaurer.

Supplikants proceedings all writ to the King by their adversaries.

which we thocht had been kept more clofe. Rothcs enquired, if the King had fein the Hiftoricall Informations which went up with the Juftice-Clerk. The Thefaurer faid, he neidit not, for it was at the preffe befor his coming up. Rothcs replied, that could not be; for ther was not a copie of that Informations ready befor that which the Juftice-Clerk receaved. The Thefaurer faid, the King had all the particulars, thogh he had not the verry body of that Informations, and he believed the King had fein that Informations. Alfo he told how treacherouflic he had bein ufed; for whyll Privie Seall and he wer dealing with the Chancellor for drawing things to a pacificatione, and had condifcendit upone füm articles, and wer writting accordingle to Court, letters wer written underhand to the contrair; and by the reproaches he did putt on them, it appeared he meaned fümwhat by the Chancellor, but much by the Clerk Register. He told how farr the King was mifinformed of Rothcs. Rothcs told him what a glorie it wold be to the King to right his fubjects, and free them of thefe illegall oppreffions they lay under. When he objected, we focht the diftructione of Bifhops, which the King wold never hear. Rothcs answered, we creave no more but the difcharge of the Service-book, Canons, and High Commiffione; that no oath fould be taken of Minifters be their ordinatione bot that which is allowed be the Act of Parliament, which gave Bifhops the power of ordination; that Bifhops might be reftained be thefe caveats wheron the Kirk and King condifcendit, that they might not be incontrollable, bot lyable to cenfure as the reft of the leiges; and that a Generall Affemblic might be appoynted evrie yeir, that fo errors and abfurdities in all churchmen might be taken order with; and without thefe meines of cenfure and reftriktion, thogh Poperie wer now held out, yitt it might efterward enter, fo long as fuch unlimited power remained with the Bifhops, which behoved to be remeadit; and if the King wold willinglie difcharge the Acts of Pearth, which added nothing to his power, honour, nor juft contentment, and was the fubjects juft grievance, he might expect a 600,000 lb. fubfidie, which he neidit not expect. Rothcs faid to him, in jeft, if no other order could be had of the Bifhops, the noblemen, barrons,

The defyres
of the Sup-
plicants.

and burgesſes wold ſitt upon them and hang them. Wherat he ſaid againe, in jeſt, Rothes was madd.

On the 16, ſum of the Supplicants gott notice of a Proclamatione to be made, which contained his Maſteis approbatione of the Service-book as onlie fitt for the uſe of this Church, and takeing on himſelfe the cauſeing frame it ; a diſpenſeing with the noblemen and gentlemen for the bygone meittings, and a diſcharge of all their meittings heirefter, under the paine of treafone. Wheron four or fyve of the Supplicants wer ſent fra the reſt to the Lords Theſaurer and Privie Seall, who meitting firſt with Privie Seall, and diſcloſeing to him the tennor of that Proclamatione, he ſeimed unwilling to ſpeak any thing therof, profeſſing he had no commiſſione, and knew nothing of that buſſines. Goeing to the Theſaurer, and expreſſing of their grieſe at the ſaid Proclamatione, they deſyred to know the truth of him ; who refuſed to make knowne to any what he was commandit to delyver to the Counſell only ; and keiping all verrie cloſe, yitt ſeimed to preſſe the neceſſitie of inhibiting meittings, and that by Proclamatione. It was answered, The obedience to that diſcharge was the way to let all theſe evils come upone them, wherwith the Church and State wer threatned, for they mett together for advyſeing anent ſupplicateing, and conſulting about the beſt wayes for preventing evils ; and as their end was lawfull, ſo had they never fallen in diſorders at their meittings, neither in word nor actione, bot had alwayes concurred in the electing the beſt and humbleſt motiones, reſtraineing theſe that wer rude, which would have appeared and given offence : if ilk ſhyre had petitioned apart, and if they ſould ſtay at home, what could they doe but everie one endure what wer impoſed, and ſo the Church and State to ſuffer ?

Theſe returneing to the reſt of their number, they all reſolved only to ſend four or fyve to Stirling, to give Informationes to the Counſellours concerning the Proclamatione, as after followes :—

Firſt, That the Supplicants had from tyme to tyme bein put in good hopes of a gracious anſwer, eſpeciallie by the Act of Counſell in Auguſt laſt, declaireing that the buying of the Service-book, and not the uſing of

February 16.
Upon the
report of a
Proclama-
tione, ſum
Supplicants
ſpok with
Theſaurer
and Privie
Seall.

Informatione
anent the
Proclama-
tione.

it, was only intendit, and by his Majesties declaratione in December last ; bot by this Proclamatione their former hopes wold be turned to fears.

2. That the proclaiming a dispenfatione to the Supplicants, for that which they ar assured they were doing in dutie both to God and the Kings Majestie, wold either make his mercie misfegardit, or force them to condemne their owne doings, so justifiable before God and the world.

3. That the prohibiting such lyk peaceable meittings under the paine of treafone wold make the Supplicants either incurr the imputatione of treafone, or else be casten all in the hands of their adverfaries, and cast themselves lowfe of religione, libertie, and peace, against the dutie they owe to God, the King, the Kirk, [and] the countrie.

4. That contrair to the Kings Majesties Declaratione in December last, this Proclamatione transferred the guilt of these novationes fra the Prelats upon the Kings Majestie, not that he can be judged the authour therof, bot that they may escape censure ; wherby it is hard to say whither his Majestie be more dishonored or justice frustrated, or his Majesties good subjects disappointed.

5. That the Supplicants tremble to think, that efter so many Supplicationes and Declarationes, bearing the manifold feeds of heresie, superstitione, and idolatrie to be contained in the Service-book, it shold be declaired by Proclamatione to be the forme of Gods publict worship, and the ready meane of maintaineing religione, and holding out superstitione, which most make the subjects either receive what their consciences doth condemne, or directlie to oppose themselves against this Proclamatione.

6. That since many worthie Counsellours hath regraited the first Act in favours of the Service-book, and made many excuses for the same, the Supplicants ar confident, that since their Lordships have a new occasione of more mature deliberatione, will rather give counsell to his Majestie to chuse a course that may give satisfactione to the desyres of his good people, then, by confirmeing so sumar a conclusion, grieve many, wound their owne hearts, and work further disturbance in kirk and countrie.

The Thesaurer and Privie Seall, hearing that sum wer to be directed to

Stirline, sent for three or four Supplicants, and understanding their resolutione preased to dissuade the same. Bot these shew the necessitie they conceived therof, and that for preventing the inconvenients of the proclamatione, which wold prove so hurtfull; falling upone these particulars in the Informations, and upone the report that the Burrowes wer excludit from the dispensatione offered to the nobilitie and gentrye, by the Proclamatione that a criminall peruite might be intendit against Edinburgh, did shew a resolutione in the whole Supplicants to intend a peruite against the Bishops and their followers alse soon as the other shold be wakened, and that for sclandering of so many of the faithfull subjects to be mutinous and rebellious, for innovations broght into religion by them against the lawes, for exercisinge judicatories not establisht by Parliament, to the heavie oppressione of the leidges; for the which faults, as in law their lyves could not escape, so these of Edinburgh did not fall within the compasse of law for lyfe or fyne, considering how little they did, how great evils wer enforced on them, and what was their Magistrats dealing towards them. The Supplicants, upone better advysemēt, found a necessitie of using a Declinatour at Sterline, least the Bishops shold sitt in judgement, and give out any act in that buisines wherein they wer declaired parties, and oght to be so declaired, resolveing to propone the said Declinatour only by tuo of their number.

They wer advertised upon Sunday morning, that sum of the Bishops followers had said the Proclamatione would inhibite any of the Supplicants to appear wher the Counsell satt, and if any shold propone a Declinatour they wold be put fast; which made the Supplicants determine to go togither to Sterline, and to be present in toune at the proponeing therof, thinking that being togither they wer more able to give the Counsell informatione and satisfacione then by so few, who might be dazled with difficultie of new propositions and acts not expected.

Lothian and Balmerinoche had a meiting with the lawiers, who resolved the Supplicants of a necessitie of a Declinatour. Upone that advertisment on Sunday, the noblemen took a sudden resolutione of dispatcheing advertisments to the rest of the Supplicants that might attend at Sterline.

Supplicants
resolutione
of a criminal
peruit against
the Bishops of
Edinburgh
wer perused.

February 18.
The Supplicants
resolve to go all to
Sterline, up-
one a report
of violence
to be used.

Roths only advertifed Eglintoun and Balvaird, and a verrie few advertifments broght in a great many; the forme wherof following :—

Copie Ad-
vertifement,
19 February.

“ Ther is a Proclamatiōe to be at Sterline Tuisday nixt, 20 February instant, condemneing all the former proceedings of the Supplicants and their meittings, supplications, subscriptions, sollicitatiōes, commissiōes, &c.; prohibiteing all meittings and proceedings of that kynd in tyme comeing, under the paine of tresone; transferring the Book of Canons and Service-book fra the Prelats, who wer challenged for our parties and authours therof, upone the Kings Majestie, as the onlie authour and actor of the whole buffines; and declaireing the Service-book to be the only forme of Gods publict worship, and the only meane for mantaineing religiōe and holding out supperstitiōe and idolatrie out of the land.

“ This Proclamatiōe to be concludit in Counsell makes an absolute necessitie of renuing our Declinatour given in at Dalkeith; and in caice of refusall, to use a Protestatiōe according to order of law.

“ Becaus ther be just grounds of fear that, in case sum few goe to Sterline for this end, the mater may be miscaried, and the cause, by their weakness, receive sum prejudice, which may be helped by the presence and sollicitations of many; it is by commone consent thocht necessar that advertifment be given to all that love the cause and the Kings honour, both pastours and professours of all forts, that they use all possible dilligence to be at Sterline upone Monday at night, or Tuisday tymlic, or at least how soon possible they can, efter the advertifment cometh to their hands, and not to stay, although they cannot come thither on Tuisday; and in caice they find not the Commissioners at Sterline, to follow them to Edinburgh, that ther may be a generall meitting to take a solid legall course in thir maters of our religiōe, liberties, and lyves for tyme comeing, unto which our Protestatiōe maketh a legall way.”

Thefaurer
and Privie
Seall dis-
suade the
Supplicants
from goeing

A few hours efter this resolutiōe, sum of the Supplicants, by the permissiōe of the rest, declaired the same to the Thefaurer and Privie Seall for preventing of mistake, who immediatlie sent for four of the Supplicants, wishing them to change their resolutiōe of goeing to Sterline, and expof-

tulating with them for their way of careing buffines ; alleadgit, if the Supplicants had followed their advyse in supplicating a pairt, and against the Service-book, Book of Canons, and High Commission only, it had succedidit better with them ; that efter, they might have petitioned about the rest of their grievances, efter once hearing and proveing fullie their first complaints ; that by appearance the King wold never hear them so long as they complained of Bishops, and assured that the Supplicants did now see their owne errour in not following their former advyse.

to Sterline,
but in vaine.

Wold persuade sup-
plicating apart,
and against
the Service-
book and
High Com-
missione on-
ly, bot in
vaine.

It was answered, that being a publict buffines, that concerned the whole kingdome, and the maters of sic consequence, it could not be caried in so private a way as their Lordships proposid, the mater being such, religione and policie wer extreamlie wronged. The subjects hearat grieved, behoved to have recourse to their Prince, for commanding redrefs by ordinarie course in law, which hath been alwayes customable to subjects in the lyke case, and if the whole Supplicants could have bein so trustfull in a mater so great and universall, as if it had bein any of their owne particulars, their Lordships could not engadge lyff, fortune, and honour for a good succes to follow their advyse ; and thoghe their Supplicationes, being restrained as their Lordships desyred, might get audience, yitt if, efter supplicating against these other evils, which ar the root that hath produced such fruits, his Majestie shold then refuse to hear any further, wold it not grieve them to see the subjects suffer by the relying on their unpaundit trust, and the whole envye transferred from the Bishops upone their owne heads ? They askeing then, what course the Supplicants wold take, wer answered, They wold propone their Declinatour at Sterline, for the reasons forsaide. They saying it wold be refused, wer answered, The Supplicants wold then protest for immediat recourse to his Majestie upone their denyall of justice, and present ane Supplicatione to his Majesteis selfe. They doubting his Majestie wold accept the same, wer answered, The Supplicants behoved to doe their dutie, and commit the event to God Almighty, who is sufficientlie able to protect his owne cause and their peaceable proceedings.

The Earle of Rothes drew by the Thesaurer, told him his respect to him,

Roths
speaks the
Thesaurer
apart not to
avert his
friends from
the truth.

and that his Lordship had obliged him to him by his favours, so that if he had the dispositione of his place he wold not take it from him to bestow it on another so long as he remained faithfull to this cause, which might evidence his respect to him, having so many freinds in Scotland to whom he had neerer relatione ; and speciallie becaus his Lordship had endeavoured, at his last being at court, to rectifie his Majesteis estimatione of him, and defyred him to consider that these things wherin his Majestie did imploy him and others wer motiones suggested by Bishops to his Majestie, destructive both of religione and of the laws of the countrie, haveing no other end bot setting up their tirranicall and illegall power, and that it did become Counsellors to resist them, and show freelie the inventions of it. If his Lordship wold, in respect of his place, go further in the way of obedience, then it was safest and fairest not to endeavour the averting of his freinds, kinsmen, and these of whome he had power, from the Supplicants their course ; bot to accept willinglie from them the reall excuse how far this cause for religione and the countrey did bind them, reserving alwayes their respect to him before other particular men, according to their interest. And thus the Supplicants, standing together in one bulk, whatsoever his Majestie comandit he might endeavour a personall performance ; and not being able, in regard of the great and lawfull oppositione, he might be excusable at his Majesteis hands, and the cause receive no prejudice : bot if he and others, in so ill a cause, wold prease to make a partie, it wold certanlie bring the judgement of God upon their persons and estates ; and thoghe it bred a greater difficultie, and wold byd ane longer tyme, yitt they could not carie it, for God wold protect his cause, being his owne, and we haveing no worldlie interest for ourselves.

Roths
speaks Rox-
burghe to the
same effect.

Parting from him, and convoying Roxburghe home, Rothes repeated the most pairt of the former discourse concerneing the not diswading of his friends. Roxburghe took it weill, and said, Ther wold be a considerable partie, thoghe he had no hand in it, mentioning the Marques of Huntlie. Wherto Rothes replied, He wold not give a salt sitron for him, for tuo Fyff lairds could keep him from croseing Dundie ferrie, and halfe a doffone of

Angus lairds could keip him from croffing the Carnemonth; that thrie parts of his name is decayed, and he wants his two sherrifships.

Thus parteing, and returneing to the rest of the Supplicants, he appoynted four or fyve of their number to go verry tymilie to Sterline, for preventing the Thesaurer and Privie Seall their accustomed dilligence, in omitting no means that may conduce to their ends; and althoghe the Counsell-day was appoynted to be the following Tnyfday be ten a-cloak, yitt was the Thesaurer and Privie Seall on horfback by tuo a-cloak in the morning, and was at Sterline by eight morning on Monday the 19 day; bot wer outriden by fum of the Supplicants, whose being before them made them expect the presnt comeing of the rest, and so conveined all the Counsellours presnt in toune to heast out the Proclamatiōe befor their comeing. The Counsellours ther presnt could not make a quorum, yitt did they proceid with their Proclamatiōe at the mercat croce, be ten a-cloak, wher the Supplicants made Proteftatiōe.

February 19.
Thesaurer and Privie Seall are mounted earlie, bot outriden by fum of the Supplicants.

Proclamatiōe at Sterline, and Proteftatiōe.

The Supplicants appoynted to go to Sterline wer the Earle of Home, Lord Lindfay, Lairds Weatherburne and Lammintoun.

A footman of the Thesaurers calling for fum aill at Johne Elliotts, wher my Lord Lindfay lay, happined (by Gods providence) to tell his master was away, wherof Lindfay advertised gave notice to Earle Home, and they wer on horfback be four hours, overtook the Thesaurer and Privie Seall at the Torwood, [and] was in Sterline befor them.

Thesaurers footman discovers his Master was gone.

The Earle Home and Lord Lindfay stood on the Crofs, made the Proteftatiōe, and took instrumētts therof in the hands of nottars.

The rest of the Supplicants comeing efternoon, and hearing of the Proclamatiōe, went to the Thesaurer and Privie Seall, and other Officers of Estate, requyring a fight of the Proclamatiōe, that they might advyce with the same, who denyed a fight therof till it fould be proclaimed in other places; bot by relatione, they smoothing the contents therof, and differing much fra others who hard it at the Crofe, made the Supplicants uncertane what it contained; who resōlving to leave no lawfull means unassayed, sent one of their number to the Clerk of Counsell, requyreing only a fight

The Supplicants crave a fight of the Proclamatiōe, and ar refused.

of the Proclamatione for their directione; upone whose refusall, instruments war taken.

20 February.

The Counsellours grudged to see so many resort ther to Sterline, who had come verrie frequentlie from all the nerrest adjacent places, and that upon small advertisment. Wherupone the Thesaurer and Privie Seall sent for sum of the Supplicants, who being asked what they wer myndit to doe ther, shewed them they wold use a Declinatour, and in caice that wer refused, a Protestatione, as they had told them at Edinburgh. They reneweing their often repeated motiones of divisone without succces, wer earnest the Supplicants sould all remove out of tounne, seing they wer to doe no more in these buffines. The Supplicants objected the ratificatione of the Proclamatione in Counsell, which as yitt wanted that warrand. They assured them of the contrair verrie firmie, as also gave assurance that no prejudice sould be offered to those who presented the Declinatour and Protestatione. Wherupone they undertook to deall with the rest of the Supplicants, to whom they returned, (who being conveyed in the Kirk, did fill the same,) and with verrie great difficultie obtained their consent to remove efter dinner towards Edinburgh, upone the relatione of the assurance they had gotten the Proclamatione sould not be ratified in Counsell. And having appoynted sum of their number to stay and propone the Declinatour and Protestatione forsaide, efter dinner, as they wer going to horse, two or thrie of the Supplicants went to Thesaurer and Privie Seall, haveing sum other Counsellours with them, and desyred their stay sould not be interpret to proceed from contempt, for they could not obtaine a sight of the Proclamatione, neither from their Lordships nor from the Clerk, (having asked it, and taken instruments of his refusall,) therby to be informed what it enjoyed; and altho it had no legall strenth, yitt, conceaving it to be a declaratione of his Majesteis mynd, which they had bein, and wold be alwayes, most willing to obtemper, without prejudice of the cause they had in hand, they wer resolved to parte.

Upone assurance the Proclamatione sould not be ratified, neither they who gave in the Declinatour troubled, the Supplicants remove fra Sterline.

Ther was tuo parts of all Fyff at Sterline upone Monday at night and Tnyfday in the morning, with a great many of East and West Lothiane,

and sum out of the West, in all about seven or eight hundreth in toun; and the Supplicants sent for wer Rothes, Montrose, and Weymes.

The noblemen, commissioners of shires, sum ministers and burrowes, retreating to the session-house within the kirk, Montrose did signifie the desires of the Counsellors concerning their removeall from that toun, urtherways assured the Counsell wold presentlie remove. A great many begane to sturr, and refuse the motion; bot Rothes defired them all to consider that now they had no more to do at Sterline, since the Statesmen had given assurance that the Proclamatione shold not be ratified in Counsell, and that the Supplicants who stayed to give in the Declinatour and make Protestatione shold receive no prejudice; that it was fitting they shold remove out of Sterline, thereby to prevent a callumnie of their adversaries, who wold suggest they had chased the Counsell out of Sterline, because the Counsell was resolved to remove thence if the Nobilitie stayed there; that the necessity of the busines craved a generall meeting, which might be more commodiouslie at Edinburgh, since the few that wer come had scarce rowme, and could hardlie get lodging there.

Supplicants
meit in the
kirk to con-
sult about
their remo-
vall.

This opinionie caried it in reason, though it was once motioned to be put in voting, which Rothes resisted, except there were sum reasons proponed, which might make the case seem dubious. Montrose and Lyndsay went to the barrones of the several shires, and Rothes to those of Fyffe, who wer als many as all the rest, told them the resolutions and reasons thereof, wheron they wer content to be gone.

When the noblemen wer gone, the Counsellors went to counsell in the Castle at four a'clock; wher tuo of the Supplicants gave in the Declinatour, which being refused, contrair to the Act of Counsell at Dalkeith, they protested, and offered to take instruments in their nottars hands. And being reproached, that they brocht in commone notars befor the Counsell, they offered to take instruments in the Clerk of Counsell his hands, which he refused; wheron they took instruments in their own nottars hands.

Declinatour
and Protest-
atione given
in to the
Counsell in
the castle of
Sterline.

That night the Counsell ratified the Proclamatione. One who had the Informations, and by the foir-mentioned promise was put in securitie, hear-

Proclama-
tion rati-
fied,

ing therof, caused delyver sum of them the nixt morning to sum of the Counsellers. These that relished religione, and best knew the Service-book, being informed, found them ensnared by their consent, and wer heartilie grieved.

Arthour Erskine and Sir William Murray of Powmaes gave in the Declinatour and made the Protestatione; and all that wer present in Counsell except the Advocat, did subserve the Act, viz. Chancellor, Thesaurer, Privie Seall, Wintone, Angus, Naper, Bischops Galloway, Brichen, Justice-Generall, Thesaurer Depute, Clerk Register; wher my Lord Downe was created a Counseller, and gave his assent at ten hours at night. Rothies went to the Thesaurer, and stayed a good whyll with him. Rothies not knowing they had ratified the Proclamatioun, the Thesaurer repeated his wonted discourfes concerning a private way of supplicating. He regraited againe how he had bein abused by letters to court, affirming he had sein sum of the Clerk Registers letters to the prejudice of himselfe and the cause, so that he wondered how any that loved him could bear the other any good countenance, insinuating that everie one sould hold him in a great deall of despite; withall he regraited his present perplexitie, in regaird of his Majesteis command, and the course the Petitioners took, and the difficultie of the buffines itselfe.

The Proclamatioun was made at Lithgow the 21 of February, wher Protestatione was made, as at Sterline, by thrie or four of the Supplicants; and at Edinburgh the 22, where a great many noblemen, barrons, ministers, standing within and about the Crofs, efter the Proclamatioun was red publictly, and instruments were taken in the hands of nottars.

Arthour Erskine, Creiche, and Lamintone made the Protestatione at Lithgow. On Wednesdai, be four hours at night, the noblemen met at James Wallaces house, with barrons, burrowes, and ministers that wer in toun; wher my Lord Johnstone mett with them who had attendit the two preceeding dayes, if the Proclamatioun had been made at the Crofs of Edinburgh, to have protested. And becaus certane gentlemen took exceptions at the speedie returneing from Sterline, Rothies was forced to repeat the discourfe

By all the
Counsellers
save the Ad-
vocat.

The Thesau-
rer regrateth
he is abused
by letters to
court, speci-
allie of the
Clerk Re-
gister.

Proclama-
tioun and
Protesta-
tioun at Lith-
gow 21, and
Edinburgh
the 22 of
February.

Lord John-
stone joynes
with the
Supplicants.

he had in the kirk session-houſe at Sterline, containeing the reaſons of their returne; adding, withall, that it was beſt for them to be at Edinburgh, for countenancing the toune, and conferring upon it all the benefit that could ariſe of their being together, to leſſen at leaſt the loſe they ſuſtained, for abyding in conjunctiōe with the Supplicants, by the abſence of the Counſell and Seſſione. They reſolved, that all the noblemen ſould go up to the Croſe, and aſſent to the Proteſtatione, which Mr. Archibald Johnſtone was deſyred to read, and the Earle of Caſſles was appointed to take inſtruments.

Nixt morning ther mett together Earles Rothes, Montroſe, Caſſles, Home, Lothian, Weymes, Dalhousie, Lords Lindſay, Yeſter, Sinclair, Boyd, Loudon, Balmerinoche, Cranſtone, Elcho, Johnſtone, and Foſter, who did aſcend the Croſe at eleven hours, heard the Proclamatione, and made the Proteſtatione, which was ſo reaſonable that it mightlie commoved the hearers; the tennor wherof is annexed. After dinner, they reſolved to diſpatch advertiſements through the countrey. Rothes drew up the forme of a letter for noblemen, barrons, and others, that had not yit appeared in this cauſe, and lived in ſuch parts of the countrie as had not yit conveyed for Supplicating; the tennor wherof followes :—

The Noblemen preſent on the Croſe at the Proteſtatione.

WE have heir in preſent conſideration the moſt important buſines that ever concerned this natione, both in reſpect of the dangerous eſtate wherin our religione, our kirk, liberties, lyves, and fortunes preſentlie ſtands by theſe innovations of the Service-book, Book of Canons, and High Commiſſion, and divers Proclamations, and other courſes daylie intendit and ploted by our adverſaries; not onlie to reſtrain our libertie, bot alſo to take from us all meanes of ordinarie and lawfull remedy, and neiding ſerious advyſment for taking a generall courſe for preventing the imminent evils that concerns all the ſubjects, it is thought fit that all conſiderable perſons ſould be once heir, to receive true informatione of the buſines that ſo neirly concerneth all who love the truth, the weillſair of their poſteritie and eſtate, how mean ſoever, and deſire to enjoy the libertie of frie ſubjects, that they may give their opinione heirin. The burthen of givinge you advertiſment being layed on us, in reſpect of our intereſt in you, or acquaintance, wee doe earneſtly intreat you be pleaſed, immediatlie after the reſeat heirof, with all poſſible diligence, to come heir to Edinburgh, wher, ſpeaking with us, and receiving informatione, you may then reſolve either to joyne with theſe heir in that way they have hitherto gone or ſhall heirefter proſecute, which is and ſhall be juſt, legall, and neceſſarie, or elſe coming and heiring your freinds heir privatlie, not getting ſatiſfactione, you may freilie returne, and obſerve your owne way, if ye be not pleaſed with the courſe we take, which none have ever diſapproved that heard it, and was

Letters of advertiſment to ſuch as had not yit appeared in this cauſe.

informed by us. You cannot answer to God and your countrie to be ignorant of this great buslines: Therfor, we beseeche you immediatlie to haste hither; and if terrors of Proclamations inhibiting meetings should be objected to stay you, by these who hertofore and now will use such means, you shall never be urged to meet in publick, till you be cleared of all such difficulties.

Loudon and Mr. David Dick drew up ane Informatione, with tuo lynes of a letter at the end, for such as had bein formerlie joyned, and had their Commissioners chosen for that effect, that the Commissioners should send the advertisements throw the shyre; the tennor wherof followes:—

Advertis-
ment to such
as had for-
merlie
joyned.

THE noblemen, commissioners of shires, and barrones, and others conveyed upon advertisement for this commune cause, which concerns the preservatione of true religion, and the lawes and liberties of this Kingdome, understanding how the Prelats, by misinformatione of the Kings Majestie, hes after their accustomed maner procured a Proclamatione to be made for establishing the Service-book, and discharging all meetings under the paine of treason, have, in Gods providence, legallie obviated the publicatione and ratification thereof, by tymeous protestatione and Declinatour of the commune adversaries the Bischops, at the Crose of Sterline, the Counsell-table ther, the Crose of Lithgow, and Crose of Edinburgh, and are resolved to doe the lyke at other places as neede shalbe; where throw, in the judgement of such as understand best, their proclamations and proceedings is made of no legall force to hinder the absolute necessar meetings of all that have interest in this commune cause and extraordinarie exigence. And seeing matters are now come to that light, as either we must forsake the way of true religion established by law, and betray the lawfull liberties of the kingdome, or else upon such a solid course as may in a right maner prevent these imminent and irrecoverable evils and ruine of all, wherunto our sins and the Prelats treacherie is liklie to dryve us, except by tymeous humbleing of ourselves befor God, and Gods blessing upon our lawfull consultations, we prevent the same. Let all these, therfor, whome this cause concerns, and who tenders Gods glorie, the Kings honour, the well-fair of the kingdome, address themselves with all possible diligence to this solemne meeting which is now at Edinburgh, wher their coming is attendit for consultatione how his Majestie may be yet better informed, and this present perill prevented, if so fall please the Lord. Meanewhyle, lett everie one who shall heir their presents humble themselves befor God, for deprecating his fearful wrath, wherunto our Lord now, of a long tyme, by disobedience of his word and despising of his glorious gospell and the ordinance of this kingdom, is provoked; and their coming heir, we are perswadit to make our loyaltie and lawfull proceedings cleer to them, as we have done to all such whome we have acquainted therwith.

SIR, so soon as thir presents shall come to your hands, faile not by yourselfe, and such as are most able to further this weightie buslines, to direct this advertisement, or copies thereof, through the shyre, so as none may be overpast, and all may be brought on their way soe quicklie as may be, and report your diligence particularlie to Edinburgh with expeditione.

My Lords Frazer and Lovate, the name of Forbes, the Lairds of Philorth, Grant, Ballingowne, were advertifed. Ther was ane committie chofen of four barrons, four burrowes, and four minifters, to joyne with the noble-men. And fpeaking generallie what was to be done, they fell upone the confideratione of ane band of unione to be made legallie ; alfo, efter his Majeftie was fupplicat, and wold not returne ane anfwer, a Declaratione was thought on as the laft act.

On Fryday, 23, the number of Noblemen and uthers being much increafed, at their meitting they traced the fuggeltione of Counfellers to funder the Supplicants, labouring divydit Supplicationes, which was generalie diflyked, and a new dealling with the Counfell, by way of Supplicatione, refrained to the Service-book, Book of Canons, and High Commiffione, which was approved by verrie few. This made all to confider the particular conditione and former proceedings of thefe pryme Statefmen, principall fuggelters of fuch motiones ; that although the Thefaurer and Privie Seall, both for the greatnes of their fortune and hereditarie conditione, wer confiderable, with the beft of this land as deeplie intereft in the good of the ftate, which, with their approved understanding, might induce the expectatione of all neidfull care and faithfull cariage befeimeing their place, intereft, and knowledge. And although they feimed extreamlie grieved for the prefent evils, and by frequent Informatione fully perceaved the root whence they flow ; yitt the prefervatione of their places and credit with his Majeftie, by appearance, hath made them forbear to doe or informe fullie about thefe who they thought was fo acceptable to his Majeftie. And many of the Bifchops being yoa-k-fellowes with them in the burthen of this State, and they and others of that mynd watching over their wayes, ready to informe againft them for anything that appears not conduceable to their end, and obtaining follicitationes from perfones of power in their owne favours to the faids Statefmen, hath made them all this whyll to labour rather the quenching the paine then the cure of the difeafe, and to make a diverfione from the root of evils, by a fair addrefs of the Supplicants, to the prefent pruning of the branches. All their proceedings in this buffines, being fullie confidered, was found bot to

23 February.
The Suppli-
cants per-
ceave the
wayes ufed
for divifione,
&c.

intend to this end; such complying being fitter for the servants of a persone then of a state. Sum of them by words and actions have so much laboured amids betwixt right and wrong, as they will (except they mend it) get the lyk recompence to them who endeavours reconciliatione betwixt Protestant and Papist, which is neither thanks nor trust from either, as our owne late experience proveth. Bishops had their emissaries also, who came out, lyke Joab to Abner, under fair pretences, affirmeing they wer now so desyreous of peace to the church and countrey, as they wold become intercessours to his Majestie for removeing the Service-book and Canons, and for restraineing the High Commiissione, yea wold undertake to obtaine it; they wold gratifie the Supplicants one crop so they might keip the inheritance. Bot all resolved to stop their ears at these charmes; and as they wer not gathered mutinoullie by one or a few men, bot by God and a good cause, so did all perceave his continuing conduct by moveing a conjunct motion from the nobilitie, gentrie, burgeses, and ministers, of renewing that same Covenant subscribed be our ancestours, with such additions as the corruptions of this tyme necessarilie requyred to be joyned, and such Acts of Parliament as was against Poperie and in favours of the true religion. This being drawen, was revied and corrected by divers learned ministers, and subscribed by many thousands of the nobilitie and gentrie, at the Grayfrier kirk, on Wedinsday the last of February; and by many hundreths of ministers, on Thurfsday the first of Marche, and by many of the burrowes; with such mutuall contentment and joy as these, who, having long befor bein outlawes and rebels, ar admitted againe in covenant with God, and advowe their obedience to him as their protectour, who can and will save them from these present and all suche evils; wherby also their hearts ar stronglie united one to another.—Blessed be the Lord God of Israell, the author, preserver, and restorer of this unione and communione!

Upone Fryday, meiting againe, the Erle of Eglintoun and his sone my Lord Montgomerie mett with them. Motione was made, becaus the gentilmen of severall shires wearied, That to the four barrons that satt ordinarielie with the noblemen other four should be added, who everie day might be

Confessione
of Faith sub-
scribed, Fe-
bruary 28,
and 1 March.

changed, and so the change might go thorow the whole prime men of everie shire, till all wer acquainted with, and had learned the way of their proceedings; which motion was approven. It was moved also, and resolved upon, That when motions were made to the noblemen, sum of the noblemen shold communicate with the barrons. The Earle of Rothes went doune, and communicate the same with the barrons, which had bein their private desire, and was heartilie accepted by them. He also shew them that sum Statesmen, and especiallie the Chancellor, had given furth that they wold deall with his Majestie for removinge the Service-book, Book of Canons, and tempering the High Commissione, provyding the Petitioners wold crave no further; that this was ane appeirance the busines shold succed weill, since their adverfaries were forced to use sic meanes to divert them and make them slack; bot entreated them that they shold not take heed to such reports, bot goe on in their owne way; for the stronger they wer in their own way the better conditions they might expect.

Statesmens
fair words
shold not
slacken the
Supplicants
hands.

That day, also, they thought upon the renewing of the Covenant, and to that effect Mr. Alexander Henderfone, minister, and Mr. Archibald Johnstone, advocate, wer appoynted to draw up the Confessione of Faith, with sic additiones as the change of tymes, and the present occasione requyred; and for preparatione to that action, upon Sunday they resolved to have a fast. Mr. David Dick was desyred to help Mr. Harie Rollock in the absence of his colleague; and Mr. John Adamfone, Mr. Andro Ramsay his colleague, was desyred to accommodate himselfe to the occasione.

February 25.
A fast before
the renewing
of the Co-
venant.

Upon Saturday, the noblemen did meet againe, wher Rothes, Loudon, Balmerinoche, wer appoynted to revise what Mr. Henderfone and Mr. Johnstone had done. My Lord Loudon made a motion, That notwithstanding of the Bishops expressions, and the Thefaurers commissione by Gathgirth to the same effect, concerneing the removeall of the Bookes, and moderating the High Commissione, it was bot to trap the Supplicants, and wrap them up in securitie; and therfoir desyred that none of the noblemen shold have any dealing with the Statesmen or other Counsellors without the knowledge or consent of the rest. A motion was made by Rothes the

24 February

Motione
anent a con-
tributione.

fame day concerneing the raising a contributione among the shires, for defraying the commone charges which this buffines might requyre. The barrons wer desyred to impart it to their number, and the burrowes to theirs. Rothes mentioned, that the stent might be made by the noblemen among themselves, or by sex or eight barrons for everie shire in their shires, not according to their lands, but according to their abilities, without preffing any; and efter they had stented all, to receave of these who willinglie gave, and who gave not to give up their names blank; by this meanes the contributione might be raised, and mens affectiones tryed.

February 26.

Upone Monday the 26, in the morning, the noblemen met againe at Mr. Johne Gallowayes house, wher Mr. Henderfone and Mr. Johnestone shew that it was impossible to gett that which was put upone them ready so soon; desired Rothes, London, Balmerinoche, to revise it againe, and they sould use all expeditione for haveing it ready against Tuisday in the morning. About this motione concerneing the raising of the contributione, at efternoon the Laird of Caprintone proponed, that he feared the renewing the Covenant and subfcriyving the Confessione of Faith sould breed sum divisione among their Westland people, who objected, that to renew the Covenant wold import that it was null befor; and that sum who wer of sufficiencie to impugne the Service-book would not consent to subfcriyving the Confessione of Faith, which was contrair both to their judgement and practise in sum other things; which wer cleerlie answered and refused He proponed it not as his owne, but as the oppinione of others.

February 27.

Upon Tuisday, the noblemen met againe at Mr. Johne Gallowayes house, wher Rothes delyvered the note he had drawne up for raising the contributione. The Confessione of Faith was red, and the additiones which concerne us according to the difference of tyme, with certaine Acts of Parliament establisshing the true religione and policie of the kirk, and favouring our present way. Certaine objections wer moved, which wer then loosed, and fall be sett doune as they wer againe repeated by the ministers. Rothes and London wer appointed at efternoon to go to the ministers mett at Tailours Hall, to shew them the former draught, and move their con-

ſent therto. Mr. Johne Adamſone, havinge dyned with the noblemen, went with the tuo appoynted, and was choſen moderator. From the barrons was directed Auld barr and Aithernie, from the burrowes Johne Smythe and Mr. Robert Barclay, to goe with the noblemen. Loudon ſpoke, as is related efterward in his declaratione to the barrons; for his ſpeech to both was much of the ſame purpoſe.

It was thought fitt that the Commiſſioners of preſbitries ſould be firſt ſpoken to apart; and ſo they went into the ſummer-houſe in the yaird, wher the draught beinge red, it was objected be ſum, That as concerneing the forbearing the practiſe of the novations formerlie introduced, they could not promiſe that, ſince they wer eſtabliſhed by Aſſembly, and ratified by Parliament. It was answered, The Act of Pearth Aſſembly was not *per modum precepti*, bot *per modum conſilii*; and therfor, ſince it did not command and ordaine, they might weill forbear; and for the Act of Parliament, it ratified no more bot what was concludit at Pearth Aſſembly, viz. a Counſell. 2. That the reaſone of the law was the force of the law; bot the reaſone of the Act of the Aſſembly and Parliament was becauſe the memorie of ſuperſtitione and idolatrie was paſt; therfor, they reaſſumed that geſture which had been condemned formerlie at the Reformatione. Bot ſince we find that ther is now greater appearance of ſuperſtitione and idolatrie then ever, therfor the law is weakned, and the force thereof extenuate, in ſo farr as concernes us. Nixt, it was agreed upone to mend that paſſage which binds the judgement, in ſo farr as concernes the Articles of Pearth, and to obliſche onlie to the forbearance of practiſe, which charitie itſelfe did indite, and the good of the cauſe; for if all abſtained from practiſe, the Biſhops could not censure any; and if ſum practiſed while others abſtained, this wold make a way to the censureing, with deprivatione of the forbearers, and ſo to the introductione of theſe preſent evils, when ſo many honeſt men as reſiſted wer removed.

The votes beinge collected, all the Commiſſioners wer of one judgement; and returneing againe to the reſt of the miniſters, who wer betuixt tuo or three hunder, they ſhewed the unitie which had bein among the Com-

Commiſſioners of preſbitries dealt with in the matter of renewing the Covenant, and agree.

The whole Miniſters, beinge 200 or 300, aſſent.

missioners. The draught was againe red befor all as it was mendit, and no objectione was made against it, notwithstanding they wer desired to tell their minds befor they voted. It was declaired to them, that althogh upon the precedent of the Confeffione of Faith, and finding out sum Acts of Parliament, the nobilitie had drawne up a certaine forme, which they wer requyred to subferyve; yitt it behoved to receave it whole, being from them of the ministrie, since it was most part theological; that the Commiffioners had made all the objections could be made, and had receaved fatisfactione, partlie by cleer and full answers, and partlie by reasoning sumthing; so that now they looked for the lesse stopt amongst them. They assented all with verrie great heartines, blessing the instruments of so good a work, while it came to Mr. Coline Adame, minister at Anstruther, who craved to be fatisfied in some points. Ther followed him Mr. Harie Fithie, minister at _____, and _____, minister at _____.

Their principall objections wer, That they had sworne to the Five Articles, and to sweare the contrair wold inferr perjurie. It was answered, That these of their judgements had moderate that alreadie, and their judgement was not tyed, only they promised forbearance of practise; that the law wheron the Bishops acted the oath haveing now lost the force, the reason of the law being removed did lowse them from their oath. This fatisfied Mr. Colin Adame and _____; bot Mr. Harie Fithie was not yit therwith fatisfied, alledging that positivlie he had sworne to practise during the tyme of his ministrie. He was pressed by Rothes with this, If the Kirk did enjoyne fitting, he wold then think he was frie of his oath, sicklyke he was free in this case, becaus that same reason that moved the law to be made, which was all the warrand that the Bishops had for craveing that oath, did now conclude a forbearance of the practise. Then the memorie of superstitione and idolatrie was past, and therfor it was thocht good to kneell. Now superstitione and idolatrie is re-entring, why shold we not also abstaine from the gesture? A man is not tyed to a unreasonable oath. When the oath appears now unreasonable, he was no longer bound. He took to advyse till the next day. Mr. Johne Home

minister at Eccles objected, That ane oath could not be exacted bot by a superiour; how could then this oath be exacted of them? It was answered by Rothés, That, by Acts of Parliament and Acts of Counsell, the minister was warrandit to crave his oath to the Confessione of Faith of their parochinners; bot no law pretendit for these who was willinglie myndit to give it; and most pairt of their ministers wer ther, or at least the Commillioners of the presbitries, who represented the whole ministers; and besydes, this was ane oath wherto none were to be compelled, bot it was expected all wold willinglie condiscend, and all make their oath to God Almightye: wherwith he rested satisfied.

Mr. Johne Adamson, who moderated for the tyme, gave the Lords and these that wer with them thanks for takeing the paines to come and communicate things with them; affirmeing they had bein singular instruments, both now and befor, in so honest a cause. Rothés replied, That they deserved no praise; all the praise was due to God alone: that in other nations, when the lyke affairs had bein handling, it had pleased God to use sum eminent instruments one or other, who wer taken notice of as haveing a great hand in the buslines; bot heir, by his singular providence, he had made the hearts of a great many of all ranks, from many parts of the kingdom, to come togither, and concurr in a cause wherin all wer commonlie interest; that, by the whole progresse, it did evidentlie appear that the good hand of the most high God had especiallie guydit them; for many courses had bein projected by them as most convenient for prosecuting their buslines, and God had taken them off these, and put them on others that wer hid from their eyes at the first, and by the sequel had shewed them, that the wayes of their owne wisdom had bein inconvenient, and their only wisdom was to hold on the way which he pointed out to them; that the keeping of so great a multitude in ane unanimous concord (notwithstanding of the craftie machinationes of these who laboured a divisione,) was Gods work, and wonderfull in our eyes; that all ought, with one mynd and mouth, ascryve the glorie to the God of Peace, who had preserved them hitherto in unione, and had brought them now in a way to bind themselves

Rothés
speech to the
ministers.

together all in one bodie, wherof Christ is the head ; that even sum of their adversaries wer now forced to acknowledge that it was no private interest that had ingadged them, bot onlie the respect of religione ; and he defyred their prayers that this mynd might always remaine with the Supplicants, and God might make his owne work prosper in their hands who aimed at the glorie of God, the peace of the kirk, and honour of the King. The prayer being said by the moderator, the meeting dissolved.

February 28.
Loudones
speach to the
commission-
ers of bar-
rons.

Upon Wedinsday morning, about half eight, Rothes and Loudon come wher the Commissioners of barrons wer mett, at Mr. Johne Gallowayes house. Loudon brak of, and shewed that the divisiōe and disuniōe of the Supplicants had bein especiallie laboured by the adversaries, as that which weakned the Supplicants, and made way to their intendit novations ; that by the contrarie the Supplicants shuld cairfullie use all lawfull means for keeping themselves together in a cause that was commone, and wherin all and everie one wer so deiply interestēd ; that the examples of their predecessours gave them a president how to bind themselves one with another for the mainteining true religione, and the Kings Majesties honour and authoritie, which are so linked together as they have commone freinds and foes ; that the hearing of the way it selfe read in their hearing wold give them a more full informatione ; that they had first proponed the same to the ministers, becaus much therof was theologicall ; that the ministers, thogh much suspected befor, had freilie assented therto ; that now it was to be proponed to them, whome he wished to propone their doubts, if they had any that wer materiall, and they shuld receive satisfactiōe, and to abstaine from wranglings of words about things that wer not of moment. That which was objected befor, concerneing the forbearance of practise in these things that was established by Parliament, was againe objected, and was answered as befor. Bot Loudone pressing that it alwayes stood in force of a law till the law wer rescinded by a Parliament. Rothes answered, That the law had lost its force, the reason therof being taken away ; and added, for illustratione, If ane Act of Parliament shuld ratifie to any person ane infeftment of lands, upone a narrative that he had gotten a dispositiōe and

Loudones
reasones, &c.

resignatione of these lands, and obtained ane investment therupone from the partie; if efterward the author sould plead and prove the narrative to be falsè, could the Act of Parliament barr him from access to his inheritance, the gift being groundit on a falsè cause, which appeared then to be true to the Parliament? Nay, whyll the Parliament satt, he might evidence the injurie he sustained to ane subordinat judicatorie, viz. the Session, and gett reparatione therby, becaus the Act of Parliament was buildit on a falsè ground: So here, the narrative, the memorie of superstitione and idolatrie is removed, being falsè, the law is of no force, and the subjects may forbear practife; and if they be charged with letters of horneing, they may evidence to the Counsell that gives out the letters that the Act is buildit on a falsè ground, and so reduceable. It was said, The reason of the law could not be taken away bot be a Parliament. It was answered by Rothes, That if the States, not weill informed, nor foreseeing the ill of things, sould enact them by law, and efterward, being better informed, and finding by experience that law destructive of religione, and introductorie to a mass of superstitione and idolatrie of the Masse, the whole body of the kingdome, or the most part therof, might suspend their practife in obedience to that law, which was not a formall rescinding of the law, bot a forbearing the practife whyll a Parliament called by their authoritie sould rescind and abrogate the law upon seen evils. Lawes ar all supposed to be made in favours of the whole natione, and for the good of all the subjects; and, therefore, when thrie parts of the subjects at least finds the prejudice of lawes, they may justlie abstaine from practife whyll a Parliament be called; for when ther is doubtsumnes in lawes, it is not to be supposed they will make lawes to their own prejudice; that it was not the meaning of the Parliament by that law to bind absolutlie the practife, for the meaning of the Parliament can be no other than that which was the meaning of the Assemblie; bot the meaning of that Assemblie was not to bind the practife, for they that wer most forward to get these things thorow declaired that they had purpossie used these words, "We think it good," that men might be free in their practife; and it was promised by the Kings Commissioner it sould

never be pressed; and so they who forbear practise, do nothing against the meaning of the Parliament. Mr. David Dick express it thus:—A law is either permissive or positive: Permissive, allowing the practise of that which was formerly condemned, so that it may now be done because the law allows it; Positive, when the practise is absolutely commandit, so that it must be done: that the Act of Pearth, the Act of Parliament ratificatorie therof, wer of the first kind, permissive only, allowing of that practise which had been condemned since the Reformation, that it might be then done according to law, whereas befor it was against law. It was instanced, that if the law lost its force because the reasons therof was taken away by the new fears of superstition and idolatry, then it should recover its force when these Books of Service and Canons, which are the ground of our fears, were discharged. Rothes answered, That all the ground of our fears lay not in these books, since in England they were printing books for superstition and idolatry. Loudon added, That though superstition and idolatry were removed with these books, yet the memories of that superstition and idolatry which was intended by the books would not be removed so long as they were to the fore who were now living. When it came to voting, all assented. Ethie suspended his assent till the rest of his shire came. It was agreed that all the rest of the barons and gentlemen that were in town should meet in the Greyfriar kirk be two hours in the afternoon, where Rothes and Loudon should meet with them.

Barons assent.
Ethie suspends his assent.

Being met, and prayer said by Mr. Alexander Henderson verrie powerfullie and pertinentlie to the purpose in hand of renewing the Covenant, Loudon spoke as of befor to the commissioners of barons, adding, that the nobilitie, ministers, and commissioners of shires and burrows, had agreed to this forme which was to be red to them, wherein they took God to witness they intended nothing to the dishonour of God or diminution of the Kings honour, and wished they might persevere who myndit other wayes. Efter the reading the draught by Mr. Archibald Johnston, out of a fair parchment above an ellie in squair, these who had any doubts were defied by Rothes, if they were of the south and west country, to go to the west

end of the kirk, wher Loudon and Mr. David Dick wold attend them ; if they wer of the Lothians and on the north side of Forth, to go to the east end of the kirk, wher he and Mr. Alexander Henderfone fould attend them for givinge satisfactiōne to them. Few came, and thoſe few proponed a few doubts, which wer refolved. The noblemen came thither at four hours and ſubſcryved. The barrons ſubſcryved efter them, ſo many as could ſubſcryve that night, whill it was neir eight. That which they ſubſcryved is heirto annexed.

Nobilitie and
barrons ſub-
ſcryve.

Upon Thurſday the firſt¹ of March, Rothes, Lindſay, and Loudon, and ſum of them, went down to Tailours Hall, wher the miniſters mett ; and becaus ſum wer come to toun ſince Tuiſday laſt who had ſum doubts, efter that they who had bein formerlie refolved wer entered to ſubſcryve, the noblemen went with theſe others to the yaird, and refolved their doubts ; ſo that towards thrie hundred miniſters ſubſcryved that night. That day the commiſſioners of burrowes ſubſcryved alſo.

March 1

Upone Friday 2 March, it was motioned to the noblemen by the ſhire of Fyffe, That ſum courſe might be taken for clearing the entrie of miniſters, (which was alſo deſyred by the miniſters,) and to conſider what courſe ſould be taken with theſe miniſters who have not mett nor ſubſcryved, and will practiſe conformitie. For the firſt, it was refolved, That they who have the right of a laick patronage might tak instruments, in caice the Biſhops or Archbiſhop refuſed to admitt the parties preſented, offering to give the oath contained in the Act of Parliament 1612 ; then to try if the preſbitrie will give admiſſiōne ; which if they refuſe, to complaine to the Lords of Counſell, and requyre the concurrence of the whole petitioners who affect the freidome of the kirk. And for ſuch preſentations as ar at the Kings gift or Biſhops, that moſt be remembred among our other greivances ; and the beſt arguments provydit for moveing his Majeſtie to take notice of our caſe. For the ſecond, it was refolved, that they ſould be exhorted and invited to do otherways ; and if they wold not, to be diſcountenanced and diſhaunted by them all, and all they could perſuade.

2 March.

Advyſe
about the
entrie of mi-
niſters.

It was concludit, that a copie of the Confeſſiōne ſould be provydit for ilk

Confessi-
on of Faith for
each shire.

shire, balzierie, stewardrie, or distinct judicatorie, wherat may be all the hands of the principall persons in the saids circuits, and a particular one to be drawne for ilk parosche within the said judicatories, wherat may be all the hands of the persons in the said parosche that ar admitted to the Sacrament; and these who cannot subserveyve themselves, that a couple of nottars shall subserveyve for them.

Names of
noblemen
present.

Erles Rothes, Eglintone, Montrose, Cafsles, Home, Lothian, Weymes, Dalhousie, and Lords Lindfay, Yester, Sinclare, Boid, Loudone, Fleeming, Elcho, Carnegie, Balmerinoch, Cranstone, Cowper, Jhonestone, Forester, Melville, being present, it was agreed that sex noblemen should attend in Edinburgh till his Majesties answer come, viz. of these sex, Erles Lothian and Dalhousie, Lords Yester, Balmerinoch, Forester, Cranstone; four shall always attend, and tuo by course be absent; and of the rest tuo shall be adjoynd everie fourteen dayes. For the first, 1. Montrose and Loudone. 2. Boid and Sinclair. 3. Cafsles and Home. 4. Carnegie and Elcho. 5. Montgomrie and Jhonstone. 6. Lindfay and Fleeming. 7. Cowper, with either Melvill or Burley, as their healthe serves. And Rothes at severall tymes.

Six noble-
men to at-
tend by
course.

Commission-
ers of shires
to wait on
by turns.

And for the shires, it was thought fitt that a certaine number should be appointed by turnes to wait on with the Commissioners of shires ther resident; as for Fyffe, by twelves weiklie, and twelve to succede another for the space of eight weiks; for Cuninghame eight; for sum six; for others four or tuo, according to the greatnes or smallnes of the shyre.

It was resolved anent the contributione, that eight fall be appointed collectors in everie shire, according toane dollar the thousand marks of free rent, as they can try, takeing the parties declaratione whither it be more or less. The contributione is voluntarie, and everie one must be valued as they ar pleased voluntarlie to declare the worth of their frie rent. The halfe of the contributione raised in ilk shire must be delyvered to Johne Smyth, and efter the same is spent to send for the other halfe.

The proportione of the noblemens contributione sett doune by Rothes and Balmerinoche, as followes:—

power to these having commissione from them to do all things in their absence that may conduce to the good of the present buisness: It differed little from the former, except the power of the commissioners was sumwhat larger, because more things wer thought upone for them to treat upone in the absence of the rest:—That the ministers may condescend upone a peece to detect and refute the absurdities of the Service-book and Canons, for informatione and publick use, and that with convenient expedition; and that one be appoynted to revise and choise out all.

Upon Wedinsday, 7 March, a Procuratorie was drawne up, wherby the Noblemen gave warrand to their commissioners to attend his Majesteis answer to their Supplicationes, &c. and a list of their names who wer appointed to attend; and both wer subscribed with all their hands. *Sub-*
scribitur, Rothes, Montrose, Cables, Home, Weymes, Dalhousie, Lothiane, Fleeming, Yester, Elcho, Boid, Sinclair, Lindsay, Cowper, Johnestone, Cranstone.

March 7.

For conveying the Supplication to his Majestie, it was thought fitt and safest that a letter be writ to the Scots Counsellors ther, craving their assistance for trying his Majesteis mynd anent the receaving their Supplicatione, either from sum of their own number, or by their Lordships; and if they wer allowed to come, that then we make our owne choise; if inhibite, then to writ againe to these Lords, shewing a necessitie that their case be made known to his Majestie, and using all arguments to persuade them to present it; which being refused, to make the same commone by print. The letters was answerable drawn by Rothes, approved and subscribed by all that wer present, upone Thursday, 8 March. The copie therof followes:—

Way of conveying the Supplication to his Majestie.

March 8.

Most Noble Lords,

The griefe of the subjects here, and their just resentments of so great evils on this church and kingdome, cannot be unknown to your Lordships, whose native interest and that part of your fortunes placed in this land most begett in your minds a fence of our hard conditione, and as principall members next unto the head, make you to enquire and prevent the imminent dangers of this state. Your extractions from this, and the greatnes of your places here, with your frequent access to our Sovereaigne, doth not so much invite our recourse to your Lordships as the meir

Copie of the first letter to the Duke, Marquess, and Mortoune.

neecessitie of our present case, having by Supplicatione, Complaint, and Bill publictlie presented our desires, at thrie severall tymes, to the Lords of his Majesties Secret Counsell, besides our continuall solicitations to these thir sex months past, and by all these requyred their mediatione with his Majestie for that ordinarie remead by law justlie dew to the meanett of the people; yitt was neither our perones, being the far greatest and most considerable part of the subjects, nor our cause, that we concerned religione and weillfare of the state, had in so great respect as they deferred; and of late, we being forced by the order of law befoir the Counsell to decline these on whome we complaine from being our judges; and the Lords refusinge to admitt the same, did constrain us either to suffer our parties to be our judges, against the law of nature and nations, or, as we have done, to make Protestatione to have our recourse to our sacred Sovereigne. Since the way is closed of further dealing with them, the great neecessitie of present remead to our pressing evils forceth from us a Supplicatione to his Sacred Majestie, haveing some encouragement therto by a late Proclamatione; and that being now the onlie meane left of our hopes, and ordinarie way of all subjects in the lyke case, we doe therfor most humbly entreat your Lordships be pleased to give us notice whether his Majestie will allowe our Supplicatione to come by your hands, being the most eminent of this natione, and by whose mediatione as true patriots we expect much good; or if his Majestie will give us a warrant by your meanes that we may fend farr from this with the same, upone your Lordships advertisment of his gracious resolutione, we shall be readie to obey either of these, as becometh humble and faithfull subjects. Wishing your Lordships intercessione successfull, as for many respects so to increafe the joy and true affectione of all the Supplicants to our Sovereigne, (for whome and ourselves we subscribe,) and bind our thankfull acknowledgment to your perones and families, as to those who are endued with a measure of abilitie and affectione to religione and your countrie, trulie answerable to the greatnes of your places and trust with his Majestie, and as the present neecessitie of your Lordships aide to the publict requireth, which is faithfullie promised for all by your Lordships affectionate servants,

Roths, Montrose, Eglintone, Calsles, Lothiane, Home, Lindsay,
Yester, Fleming, Drumlanrig, Boid, Loudon, Balmerinoch,
Cranstone, Johnstone, Melvill, Forrester.

Instruccionen from his Majesties Counsell to the Justice-Clerk, whome they have ordained to go to Court for his Majesties service.

Stirling, 5 March.

Counsell
instructions
to his Ma-
jestie.

In the first, You ar to receive from the Clerk of Counsell all the Acts since our meitting in March, the 1st day.

Item, You have to represent to his Majestie, that this dyet of Counsell was appointit to be kept solemnly, by the advyce of the Lord Chancellor, and remanent Lords of Clergie being at Edinburgh for the tyme, who assured us that they sould keip the dyet preceisslie; bot at our meitting at Stirling we received a letter of excuse fra the Lord Chancellor, which forced us to proceed without his Lordships presence, or any other of the Lords of Clergie, except the Bishop of Breichen, who attendit with us thrie dayes, bot removed befor the closinge of our opinionen ament the bussines.

Item, That immediatlie after we had resolved to direct you with a letter of trust to his

	Dollers.		Dollers.	
Montrose, . . .	25	Carnegie, . . .	15	Noblemens contribu- tione.
Eglintoune, . . .	20	Sinclair, . . .	25	
Casles, . . .	25	Cowper, . . .	15	
Lothian, . . .	25	Southerland, . . .	25	
Dalhousie, . . .	25	Frazer, . . .	15	
Balmerinoche, . . .	25	Stormonth, . . .	25	
Boid, . . .	25	Garlies, . . .	15	
Forrester, . . .	15	Burley, . . .	25	
Cranstone, . . .	25	Dalziel, . . .	10	
Home, . . .	25	Fleeming, . . .	15	
Weymes, . . .	20	Melvill, . . .	25	
Yefer, . . .	25	Beridale, . . .	20	
Loudone, . . .	25	Lovate, . . .	15	
Lindsay, . . .	25	Ogilvie, . . .	15	
Jhonstone, . . .	25	Drumlanrig, . . .	20	
Elcho, . . .	10	Balcarras, . . .	10	
Roths, . . .	25	Montgomrie, . . .	10	
670 Dollers.				

On Setterday, 3d of March, the drawing up of ane Historicall Informatione of the Supplicants' proceedings from the Thesaurers departing to Ingland was committed to Roths, and the revising thereof to Balmerinoch; which was accordingly done, and being heard, was approved of all on Monday thereafter, as is befor sett down from page to page, not enclosed.

March 3.
Second Historicall Informatione drawne.

For cariage of the Supplicatione to his Majestie, it was thought fitt it should be either by the Statefmen, if any of them went, or to be recommendit to the Duke of Lennox, Marquis of Hamilton, and Earle of Mortone, or by these and the Statefmen together, if any goe; and one of these to be resolved on after information from Sterline, and knowledge of the Statefmens affectione and resolutione in this buffines.

March 5.
Commission-
ers of burghs
writ to their
burghs anent
the Procla-
matione.

On Monday, 5 March, it was thought fitt That the commissioners of burrowes sould writ to their severall burghes, not to be affrayd of the Proclamatione, and to send therewith the Protestatione, with some Reasones cleering them of the danger of the said Proclamatione, and to send a copie of the Confessionne: Mr. Archibald Johnestone did draw up the said Reasones, and the notars to writ the copies therof:—That no copies of the Confessionne be writ efter this, wher the noblemen shall put their hand, except they be written be Mr. James Cheine, Johne Nicoll, and Mr. William Henderfone, nottars to the Protestatione:—That Leyes, Morphie, Dun, and Balmain, go North and speak with Marquise Huntlie and others of qualitie in Aberdeenshire and Murray; that they may take with them copies of the Protestatione, and Reasones cleering from the dangers of the Proclamatione, haveing alredie ane Historieall Informatione:—That ilk burgh and parosche may have a Confessionne of Faith, and a list be keepit of the subscribers and refusers, and that reports therof may be broglt to Edinburgh.

Sum Ba-
rones to
speak Hunt-
lie, &c.

March 6.

Upon Tuisday, 6 March, it was resolved, If any of the Supplicants shall be criminallie persued, or any wayes procesed, that all the rest false redie to assist; that sum false appointed to goe to the Universities from the commissioners heir, and press the subscriptione of the Confessionne in the said Universities:—That Yester and Balmerinock shall speak to the Primare and Masters of Edinburgh colledge, and with them, Lugtone and Sir Patrick Hamiltone; for Glasgowe, my Lord Boid, Kerr, Blair, and Rowallane; for St. Andrews, my Lords Sinclair and Lyndsay, Arthour Erskine, Balvaird, Newtoun, Mr. Alexander Henderfone; for Aberdein, the four gentilmen appointed to go North, and that Mr. Johne Barrone and Mr. David Forrett may be joynd with them:—That ther be commissioners drawn for the commissioners appoynted to attend, and that the saids commissions be sent to the severall shires by sum of these that ar left to be assessors to the commissioners of shires, and that the present commissioners shall proceed in the mean tyme to doe all things for the furtherance of the busines by vertew of their last commissione, and the commissione to be gotten may accres:—That Commissione be drawne, wherby the Noblemen shall give

Commission-
ers to Uni-
versities.

Commissions
for these
who are to
attend.

CHARLES, be the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. To Our lovitts, Messengers our shireffis in that pairt, conjunctlie and severallie, speciallie constitut, greeting; Forfameikle as We, out of our princelie care for maintaineing the true Religione already profest, and for beating downe all superstitione, haveing ordained a Book of Common Prayer to be compylled for the general and univerrall use and edificatione of our subjects within our antient Kingdome of Scotland, the same was accordingly done; in the formeing wherof We took great care and paynes, sua that nothing past therein bot what was sein and approven by Us befor the same was either divulgat or printed; affureing all our loveing subjects that not onlie our intencion is, but even this verie Book will be a ready meane to maintaine the true Religione already profest, and beat out all superstitione, of whilk We in our own tyme do not doubt but in a fair cours to satisfie the judgement of our good subjects. Bot haveing sein and considered som Petitions and Declarations given in to our Counsell against the said Book and late Canons of the church, We find Our legall authoritie much injured therby, both in the mater and cariage thereof, wherby We conceive these of the nobilitie, gentrie, burrowes, ministers, and others who have kept and assited these meittings and convocations for contriving and formeing the saids Petitions, or who have subscryved the same, to deserve and to be lyable to Our high censure, both in their persons and fortunes, as haveing conveyed themselves without either our consent or authoritie; yitt because We believe that what they have done therein is out of a preposterous zeall, and not out of any disloyaltie or disafectiōe to our soveraigntie, are gratioſlie pleased, in so far as concerns these meittings for consulting and subscryving the saids Petitions, or presenting the same to any judge or judges within this our kingdome, to dispence therewith, and with what may be their fault or error therein, to all such as upone the significatione or declaratione of this Our pleasour, fall reiteir themselves, as becometh good and dutiefull subjects. To which purpose, Our will is heirfoir, and We charge you straitlie and commands, that, incontinent thir Our letters sein, ye pass, and in our name and authoritie, make intimatione heirof, [to all our liedges and subjects, be open Proclamation, at all places needfull, wherethrough none pretend ignorance thereof:] and therewithall, in Our name and authoritie, that ye discharge all sic convocations and meittings in tyme comeing, under the paine of treason; as also, that ye command, charge, and inhibit all Our leidges and subjects, that they nor non of them presume nor take in hand to resort nor repair to Our burgh of Stirling, nor to no other burgh wher Our Counsell or Sessione sits, till first they declair the caus of their coming to our Counsell, and procure their warrant to that effect; and further, that ye command and charge all and fundrie provests, balyies, magistrats within burghis, that they and everie one of them have a speciall cair and regaird to sic this Our royall will and pleasour peacefullie and dutiefullie obeyed in all points, and that no violatione thereof be suffered in their bounds, under all highest payne, cryme or offence that they may committ against Us in that behalf; as also, that ye command and charge all and fundrie noblemen, barrons, ministers, and burgesies, who ar not actualle indwellers in this burgh, [and are not of the number of Our Privie Counsell and Session, and members thereof, and are already within this burgh,] that they and everie one of them remove themselves, and departe and pass out of the said burgh, and not to returne againe without warrant, within sex hours efter the publicatione heirof, under the said paine of treason. And as concerning any Petitions that salbe herefter given to Us upone this or any other subject, We are lykwayes pleased to declair, We will not shut Our ears therfra, sua that neither the

Tenour of
the Procla-
matione.

mater nor forme therof be prejudiciall to Our royall authoritie ; the which to do We commit to you, conjunctlie and severallie, Our full power, be thir Our letters, delyvering them to yow due-lic execut and indorfit againe to the bearer. Given under Our signet, at Stirling, the 19 day of February, and of Our reigne the 13 yeir, 1638. *Per actum Secreti Conſilii.*

The ſaid Earle of Caſſles and Mr. Archibald Johnſtone, for themſelves, and in name and behalfe foirſaid, proteſted, conforme to the tenour and contents of a Proteſtatione formed and drawne up in writ, inſtantlie red and repeated by the mouth of the ſaid Mr. Archibald, as the true coppie of the Proteſtatione offered in writt, and delyvered in the hands of the nottars publict, by Arthour Erſkine, at the Counſell-table in Stirling, the 20 February inſtant ; unto the which and all articles therein contained, they, in name forſaid, declaired, they did adhear, and therfor inſtantlie delyvered the ſame to us the ſaids Nottars under ſubſcryveand ; of the whilk Proteſtatione the tenour followes :—WEE, noblemen, barrons, burrowes, miniſters, appointed to attend his Majeſteis anſwer to our humble Petitions and Complaints, and to preferre new greivances, and to do what elſe may lawfullie conduce to our humble deſyres, That wher upone the 23d of September laſt, we preſented a humble Supplicatione to your Lordſhips, and another on the 18 October laſt, as alſo a new bill relative to the former on the 19 December laſt, and therein did humble remonſtrate our juſt exceptiones againſt the Service-book, and Book of Canons, and alſo againſt the Archbiſhops and Biſhops of this kingdome, as the contryvers, maintainers, and urgers therof, and againſt their fitting as our Judges till the cauſe be decidit : earneſtly ſupplicating withall to be freed and delyvered from theſe and all other novationes of that kynd, introduced againſt the landable lawes of this Kingdome ; as that of the High Commiſſione, and other evils, particularlie mentioned and generallie contained in our forſaid Supplicationes and Complaints, and that this our partie delinquent againſt our Religione and Lawes may be taken order with, and theſe preſſing greivances may be redreſſed, according to the lawes of this Realme, as our Supplicationes and Complaints at more length bears ; with the which, on the 19 day of December laſt, we gave in a Declinatour againſt the Archbiſhops and Biſhops as our parties, who be conſequence could not be our judges. Whereupone your Lordſhips declaired, be your Act at Dalkeith, the ſaid 19 day, that ye ſould repreſent our Petitions to his Majeſteis royall conſideratione, and that without prejudice of the Declinatour given in by us the ſaid Supplicants, wherpone we ſould be heard in tyme and place convenient, and in the mean tyme ſould receive ſould receive no prejudice, as the ſaid Act in itſelfe bears. And whereas we your Lordſhips Supplicants, with a great deall of patience and hope alſo, groundit on fundrie promiſes, wer expecting anſwer to theſe our humble deſyres, and having learned, that, upone ſum directions of His Majeſtie anent our Supplications and Complaints to your Lordſhips of his Hienes Secret Counſell, your Lordſhips admitts to the judgeing and conſulting anent our Supplications, and his Majeſteis anſwer therunto, the Archbiſhops and Biſhops our direct parties, contrair to our Declinatour, firſt proponed at Dalkeith and now renewed at Stirling, and contrair to your Lordſhips ſaid Act at Dalkeith, and hearing this late Proclamatione, contrair to our religione and law and humble Supplications, to follow upone their miſinformations ; Therfor, leaſt our ſilence be prejudiciall to this ſo important a cauſe, as concerns Gods glorie and worſhip, our religione and ſalvatione, the lawes and liberties of this Kingdome, are derogatorie to the former Supplications and Complaints, are unanſwerable to the truſt of our commiſſions, out of bound dutie to God, our King, and native cuntry, We are forced to take inſtruments in the Nottars hands of your reſuſal to admitt our Declinatour, or remove theſe

Tenour of
the Proteſta-
tion.

Majestie, we did send our letter to the Lord Chancellor, acquainteing him with our proceedings, and desiring him to consider thereof, and, if he approved the same, to signe them, and cause the remanent Lords of Clergie being ewest to him, and namlie the Bishop of Breichen, who was ane care and eye witnes to our consultations, to signe the same, and by his letter to his Majestie to signifie their approbation therof; or if his Lordship did find sum other way more convenient for his Majesties honour and peace of the countrey, that his Lordship, by his letter to the Lord Thesaurer and Privie Seall, wold acquaint them therwith, to the effect they might conveyne the Counsell for consulting theranent.

Item, That yow threw to his Majestie that the Counsell, all in one voice, finds that the cause of the general combustions in the countrie are the fears apprehendit of innovacion of religione and discipline of the Kirk establisched by the lawes of the kingdome, by occasione of the Service-book, Book of Canons, and High Commiissione, and the forme of introductione therof, contrair or without the lawes therof.

Item, You are to present to his Majestie our humble opiniones, that seing we conceive the Service-book, and Book of Canons, and High Commiissione, as is sett doune, at the occasione of this combustion, and that the subjects offers them to prove, upone perill of their lyves and fortunes, to cleir that the Service-book and others forsaide containe diverse poynts contrair to the true religione presentlie professit, and lawes of the kingdome, in matter and maner of introductione, that the Lords thinks it expedient that it be represented to his Majesties gracious consideration, that his Majestie may be pleased to declair, as ane act of his singular justice, that his Majestie will take tryell of his subjects grievances, and reasones therof, in his owne tyme, and in his owne way, according to the lawes of the kingdome; and that his Majestie may be pleased gracioullie to declair, that, in the meantyme, he will not pres nor urge his subjects therwith notwithstanding of ane act and warrand maid in the contrair; and in caice his Majestie salbe gracioullie pleased to approve of our opiniones you are thereafter to represent to his Majesties wife and gracious consideration, if it shall not be fitting to consult his Majesties Counsell, or sum such of them as he salbe pleased to call or allow to be sent fra them, both anent the tyme and way of doing. And if his Majestie (as God forbid!) shall dillyke of what we conceive to be most conducing to his Majesties service and peace of the kingdome, you ar to urge, by all the arguments ye can, that his Majestie do not determine on any other course untill sum at least of his Counsell from this be heard to give the reasones of their opiniones; and in that case lykewayes, you are to put to his Majesties consideration if it fall not be fitting and needefar to call for his informers, togither with sum of his Counsell, that in his owne presence, he may have the reasones of both informations fullie debated. For you fall lykewayes threw to his Majestie, that his Counsell, having taken to their consideration what further was to be done for compeling and settling the present combustion within the kingdome, and dissipating the convocations and gatherings within the same, seing Proclamations are alreadie made and published, discharginge all such convocations and unlawed meetings; the Lords, after debating, find that they can doe no further then is alreadie done herein untill his Majesties pleasour be returned to thir our humble remonstrances.

At the Cusile of Sterline, the 20 February 1638.

The quihilk day, in presence of the Notary publick and witnesses under written, compeired

Instruments
at the Castle
of Sterline,
Feb. 20.

personally Arthur Arkinne, sone to a noble and potent Erle, Johne Erle of Marr, &c. and Sir William Murray of Touchadam, for themselves, and as procurators and commissiouners for the nobilitie, barrons, burrowes, and ministers of the kingdome of Scotland, humble Petitioners to his Majestie and his Majesties Secret Counsell againtt the Introductione of the Service-book, Book of Canons, High Commiission, prest on the Church of Scotland, who past to the personall presence of the Lords of Secret Counsell, being then sitting in the castell of Sterline, as place appointed for the Counsell for the tyme.

And the said Commiissioners, for themselves, and in name and behalfe forsaid, according to the power given to them, with all humilitie and reverence, as become, they desired that all Archbishops and Bishops within this kingdome should be declined from being judges to the said nobilitie, barrons, burrowes, and ministers within the said kingdome, in all whatfomever may concerne the mater depending anent the saids Service-book, &c. and all other motions contrair to the lawes of the kingdome and Acts of Parliament, because the saids Archbishops and Bishops are their parties; quhilk desyre the saids Lords of Secret Counsell, efter the propounding the said Declinatour *verbo*, and offering to produce the same in writ, refused to receive and admitt the same; of the which Declinatour offered and refused the tenour followes:—"Wee, Noblemen," &c. Whereupon the saids Commiissioners, for themselves, and in name and behalfe forsaid, askit instruments in the hands of James Primrose, Clerk to the Secret Counsell, standing at the head of the Counsell table, which he refused to doe; and therfor the saids Commiissioners askit instruments of the whole premisses in the hands of tuo Nottars publict under subscriband, and protested what sould be done by the saids Lords of Secret Counsell (the saids Archbishops and Bishops being present, and having voice therin as judges,) sould be nowayes prejudiciall nor obligator againtt the saids Supplicants and Petitioners at no tyme hereafter, in respect the said Archbishops and Bishops are parties, as said is; and protested, conforme to the tenour and contents of a Protestatione formed and drawne up in writ, and instantlie delyvered to us the saids Nottars under subscriband, wherof the tenour followes:—"We, Noblemen," &c. Thir things wer done in the said Counsell-houfe, in presence of the Lords of Secret Counsell ther sitting for the tyme, immediatlie efter their sitting down, befor any publict act done by the saids Lords the said day, betuixt four and fyve afternoon, day, month, and yeir respective forsaid, Befoir and in presence of Johne Setone of Lathbrilk, and Archibald Primrose, sone to the said James Primrose, wiunesses called and requyred to the premisses.

At the Mercat Croce of Edinburgh, 22 February 1638.

Instruments
at the Croce
of Edinburgh,
February 22.

The whilk day, in presence of us, Nottars publict under subscryvand, and wiunesses efter mentioned, compeired personallie Johne Erle Castles, and Mr. Archibald Jolnestone of Warristone, for themselves, and in name and behalfe of the nobilitie, barrons, burrowes, ministers of the kingdome of Scotland, (of each fort wherof great numbers wer upone and about the said Mercat Croce,) humble Petitioners to his Majestie and his Majesties Secret Counsell againtt the introductione of the Service-book, Book of Canons, and High Commiission, urged upone the Kirk of Scotland; and ther, efter the publicatione and intimatione of his Majesties declaratione and will concerninge the said book, (openlie published and proclaimed by James Currie, Ormond purtivant,) of the letters underwritten at the mercat Croce of Edinburgh; of the which letters the tenour followes:—

our parties, and to Protest in maner following: 1. That we may have our immediat recourse to present our greivances to our sacred Sovereigne, and in a legall way and maner to prosecute the same befor the ordinarie competent judges, civile or ecclesiasticall, without any offence offered by us or taken by your Lordships. 2. We protest, That the said Archbishops and Bishops, our parties complained upon, cannot be repute nor esteemed lawfull judges to sitt in any judicatorie in this kingdom, civile or ecclesiasticall, upon the said Supplicants, ay and whyll they, efter lawfull tryell, judicallie purge themselves of such crymes as we have alredie laid to their charge, offering ourselves to prove the same, whenever his Sacred Majestie shalbe pleased to give us audience. 3. We protest, That no Act nor Proclamatione to follow therupon, past or to be past, in Counsell or out of Counsell, in the presence, or he votes or advyse of the Archbishops or Bishops, our parties, whom we have declyned to be our judges, fall in any wayes be prejudicial to us the Supplicants, our persons, estates, lawfull incittings, proceedinges, and pursuits. 4. We protest, That neither we, nor any whose hearts the Lord moveth to joyne with us in this our Supplications against the foirsaid innovations, shall incurr any danger in lyfe, lands, or any politicall or ecclesiasticall paines for not observing sic acts, books, canons, rites, judicatories, or proclamationes, introduced without or against the Acts of Generall Assemblies, or Acts of Parliament, the Statuts of this Kingdome; bot that it shalbe lawfull to us or them to use ourselves in matters of religione, in the externall worship of God, and policie of the church, according to the word of God, and laudable constitutions of this kirk and kingdome, conforme to his Majesties Declaratione, 9 of December last. 5. Seeing, by the legall and submisive way of our former Supplications, all who take thir innovations to heart have bein kept calme and caried themselves in a quiet maner, in hope of redress, we protest, That if any inconvenient shall happen to fall out (whilk we pray God to prevent) upon the pressing of any of the innovations or evils specialle or generallie contained in our former Supplications and Complaints; and upon your Lordships refusall to take order thereanent, that the same be not imputed to us, who do most humble desire and beseech all things to be reformed by aue order. 6. We protest, That these our requests, proceeding from our conscience and our due respect to his Majesties honour, doe tend to no other end bot to the preservatione of true reformed religione, the lawes and liberties of his Majesties most antient kingdome, and satisfacione of our most humble desires contained in our Supplications and Complaints, according to his Majesties accustomed goodnes and justice, from which we doe certainlie expect that his sacred Majestie will provide and grant such remead to our just Petitiones and Complaints, as may be expected fra so gracious a King towards most loyall and dutifull subjects, calling for redress of so pressing greivances, and praying heartilie to God that his Majestie may long and prosperoullie reigne over us. Upon whilk all and sundrie the premises the saids Johne Earle of Casles and Mr. Archibald Johnestone, for themselves, and in name and behalfe forsaid, asked instruments fra us, Nottars-publict, under subscrievand. Thir things were done at the said mercatt Croce of Edinburgh, betuixt eleven and twelfe hours befor noone, day, moneth, and yeir of God above-written, befor thir witnesses, George Elphinstone of Selme, Thomas Dalziel, younger of Bynnes, James Currie, Ormond Pursivant, Mr. Johne Hendersone, one of the ordinar maisters befor the Lords of Secret Counsell, William Dunbar, and Mr. Johne Huchefone, writers in Edinburgh, with many others in hundreths heirt called and required.

Ita est JOANNES NICOLL.

Ita est Magister JACOBUS CHEINE.

Ita est ego Magister WILLIELMUS HENDERSONE.

The Confessione of Faith should immediatlie follow the Protestatione forsaide; bot becaus it is alreadie printed, proceid with

The Lawfulness of the Subscription to the Confessione of Faith.

Lawfulness of
subscriptione
to the Con-
fessione of
Faith.

For our Subscriptione and our renewing of our Confessione of Faith, we are weill warrantit; for if we look to God, we have his commandement; if to the Godlie of old, we have their approven practise; if to the Kirk, we have the Acts of her Assemblie; if to Authoritie, we have the declaratione of the will both of King and Counsell in the Acts of Counsell; if to our Progenitors, we have the laudable example of the King and his familie, of Counsellors, of the whole Colledge of Justice, and of his Majesties subjects of all degrees, from the hiest to the lowest, in the whole kingdome; if to Prescriptione and Custome, we find in perpetuall and recent custome and observance to this day; and if we look to the Authors and urgers of the late and present novations, we perceive that they themselves have subscrievd the same Confessione, that they have been laboreing to involve us in the same guiltines of defectione with themselves, and that our subscriptione at this tyme is the most innocent, the most readie, the most powerfull mean to confirme ourselves, and so stop our adversaries in their presumptions, that they no more heir-efter attempt the like against us: And so far as the secret intention of the heart may be sein, our proceedings to this tyme, the tenor of that which we do now subscrieve, and our whole deportment and carriage, make manifest to all who are not posselt with prejudice against us, that we meane nothing but the maintenance of the reformed religion, to the glory of God, the honour of our King, and the happiness of the kingdome, for now and for afterwards.

Against our Subscriptiones ar objected, and no marvell; for in the maters of the world, when gaine or glorie do invite us, we spare not to go on with ane audacious conscience; bot in the maters of God, by multiplying scruples against ourselves, and giving way to the worldlie motiones of others, we are ready to doubt, to hesitate, and shrink; whence it is that four Objections are made against the Subscriptione of the Confessione of Faith at this tyme.

Objection 1.
Act of Par-
liament
1585, against
Bands.

The First is, That it is the making of a band against the law and Act of Parliament 1585.

Answer first. Naturalists know, that the parts of the world most fantymes forget themselves and pass their particular bounds, for the preservatione of the whole politicks, justlie plead that the safetie of the people is the soveraigne law; and Christians cannot bot acknowledge, that Efter did best in coming into the King, which was not according to the law, than according to the law to have destroyed herself and her fathers house, with the hazard of the delivrance of Gods people. 2. It is a mistaking to think that this is a new band against law, since it is nothing bot the renewing of the Confessione of Faith warrantit by the command and example of King James, and by the Acts of Counsell and Assemblie. 3. It is not a private league of any degree of subjects among themselves, but a publict covenant of the collective bodie of the kingdom with God for God and the King. 4. It cannot fall under the censure of seditione and troubling the peace of the kingdome, mentionat in the Act of Parliament; since it is for the maintenance of religion and the Kings Majesties authority, and for the preservatione of the lawes and liberties of the kingdome against all troubles and seditione, a dutie unto which all his Majesties subjects ar bound by the law of God (and more) to concurr.

Objection 2.

The Second objection is fra the Act of Perth Assemblie commanding the practise of these novations in the worship of God, which by this Subscription we oblige ourselves to forbear.

Answer 1. The conclusions of that meeting cannot have the authoritie of a Generall Assemblie with us, except we be seeking precepts of that kynd for novations, unto which we incline for other objections; becaus it was voluntarie constitute, both in the moderator and other members therof; becaus the proceeding and carriage therof wer craftie and violent, and although the Prelats pretendit the authoritie therof against others for conscience sake, yitt themselves have forborne the practise of some of these novations till this tyme. Why then may we not forbear the practise of the rest, since the collective kirk, or the greater parts of the kirks of the kingdome did never acknowledge them for the constitutions of ane Assemblie? 2. The reason of the appointing of the kneeling, by way of contraries, infers now the forbearing thereof. It was concluded, becaus the memorie of superstitione was past, it sould therefore be forborne; becaus the memorie of superstitione is revived and fragrant, they who practise keep the letter of the act, bot they who forbear keep the lyff and reason thereof. 3. It concludes not by way of precept, as if it did ordain kneeling, bot by way of counsell, the Assemblie thinks, which was pressed by the Prelats themselves, and promise given that no man sould be constrained, and therfor no censure was appointed for the contraveiners. 4. The maner of practise hath never bein particularlie determined, which hath made so many different formes of observatioun in this land, hath multiplied scandels, and made the worship of God ridiculous, and therfor may be a sufficient ground for our forbearance.

The Third objection is fra the Act of Parliament ratifying the saids novations.

Answer 1. Ratificatione was not desired by the Assemblie. If the greater part had looked for ratificatione in Parliament, they had never given their consent in the Assemblie; the Prelats procured it, and gave thair consent to it in Parliament, without any warrand from the kirk, for which they most answer to the Generall Assemblie. 2. A Supplication was orderlie presented befor the Parliament, in name of the ministers, against these novations; and the Supplications being suppressed, protestatione was made in due time and place, according to the order of law. 3. The greatest promise that could be devised was made by his Majesties commissiounar, that the Articles sould never be pressed, that no penalties sould be annexed, and that no further conscriptioun in ceremonies with England sould be urged herefter. 4. The Act of Parliament, although it have the nature of a law, and therfor have authoritie over all the subjects, is nothing but a meir ratificatione, and cannot alter the nature of the canon to turn a counsell into a precept, more then it can turne a precept into a counsell; for that wer rather to make a law in matters of religion then to ratifie the act of the kirk. 5. It is repugnant to the fundamental lawes of the kingdome to fyne, confyne, or punish the subjects with any paines which ar not exprest in the canon law, supposing it to be made by their owne consent in Parliament. 6. The subscribers, who are the greater part of the leidges, do deny a preceptive power to them, and will concur, by all lawfull means, to keep themselves and others free of all censure for matters of that kind untill they obtain a free Parliament and Assemblie: lykeas they have already declined the Prelats, and protested against the High Commioun.

Fourth objection is from the Oath that sum Ministers bath given at their entrie, unto which the Subscriptioun seemeth to be contrair.

Answer 1. So many as perceive the oath given at their entrie to be unlawfull, whether in respect of the unlawfulness of the thing which they have sworn to practise, or in respect of the obligatioun of the oath tying them to practise, can pretend no scruple for the forbearance in tyme to come. 2. Lett everie one consider with himself Whether it was a dispensing with himself, in

Acts of
Pearth As-
semblie.

Objection 3.
Act of Par-
liament rati-
fying the
Acts of
Pearth.

4 Objection.
Oath of sum
ministers.

the darknes or scruple of his conscience, that he might have a entrie in the ministrie, or ane full perswasione of the lawfulness of the things themselves, that made him give his oath : everie conscientious man wold have bein glad of a frie entrie without any oath of this kynd. 3. Nothing is spoke heir, either against the lawfulness of Pearth Articles in themselves, or of a perpetual forbearance of the practife of them, bot only promise to forbear for a tyme. 4. No Prelate will say that he hath required, nor minister that he hath given, ane oathe of any other nature then that which is agreeable to the Acts of Assemblie and Parliament ; and therfor the observance most be frie and voluntarie, as unto a counsell, and not necessary as unto a precept. 5. The reverfing of superstitione and idolatrie as ane reason no less forcible for forbearance than the pretendit burying therof was for practife, which was the ground of the Act, and therester of the oath required. Becaus I promised to hold the ports open whill the enemie is asfar off, shall I be bound to hold them open, and not rather to shutt them, whill the enemie is entered ? 6. Although the maters wer indifferent, yit, in the case of scandal, (which is now palpable,) they being introduction of Poperie, forbearance is a necessary duetie ; neither is it to be thought that any man was so unadvysed as to sweare a perpetual practife, whatsumever sould be the consequence. 7. The Prelats now turne Popish ; and libertie fra their yoaik being offered, they deserve to die in fervitude who refuse the offer. 8. The oath to be taken of the ministers at their entrie is exprest in the Act of Parliament. The Prelate, for exacting ane oath without warrand in law, and the ministers who subject themselves to his episcopall tyranny, ar both censurable by law. 9. No minister hath sworn obedience to Pearth Articles, bot he hath alreadye forborne, and is lyke to forbear all his lyfe, the practife of sum of them, without any suspitione of perjury ; for how can the minister be further bund then the Prelate, their authors of the oath, and the urgers of the oath ? Why may they not then forbear the practife of the rest ?

Befor the letter to the Duke, Marquise of Hamiltone, and Earle of Mortoune was written and subseryved, it was debated among the noblemen tuo severall dayes, viz. 6th and 7th of Marche, since they were barred by the Counsell, and behoved to present a Supplicatione immediatlie to his Majestie, Whither it wer better to send sum of their owne number to present it upone all hazards ; or, to send a private gentleman, who without advertifement might present it to his Majestie ; or, to send it inclosed with a safe bearer, together with a letter to the Duke, Marquise, and Mortone ; and that, if they found his Majestie willing to receive a Supplicatione from their hands, the bearer might delyver it unto them, upon assurance they wold present it, urtherwayes he might returne it inclosed againe. It was concludit, That a Supplicatione sould be drawne up, and sent inclosed and stamped ; that Rothes sould writt to Earle of Haddintoun, and desyre him delyver the letter to the Duke, Marquise, and Mortone, and receive their answer ; and if his Majestie wold accept a Supplicatione, promise that it sould be shortly readie

for his Majesties hands, and for them to delyver. The letter to the Duke, Marquise, and Mortone was drawne up be Rothes, as it is befor sett doune. For drawing up the Supplicatione by the gentrie, it was put upone the Sherreff of Tivotdale and Sir Patrick Hamiltonne, Haddintones uncle; and by the nobilitie, upone Rothes and Londone; everie one of them to frame a draught. All being made ready in a short tyme, all the draughts wer presented, and little use resolved to be made of any of them save that of Rothes, the tenour wherof followes :—

To the Kings Most Excellent Majestie,

The humble Supplicatione of the Nobilitie, Gentrie, Burgeses, Ministers, and Commones, in the Kingdome of Scotland,

Humble Shewing,

That whereas Wee, your Majesties faithfull and obedient subjects, justlie grieved with the novations urged, and the way of imposing them on this kirk and state, did, in all submiss and humble maner, present a Supplicatione to the Lords of your Majesties Secret Counsell, on the 23 of September last, as these who gave authoritie to this new Book of Common Prayer, and most of these other novations contained in our Supplicatione; and they being intrusted with all your Majesties affaires, we choosed rather to interpose them at first, as a more ordinarie way of redress, then to trouble your Majestie with the many Petitions and large Informations of almost, and all your Majesties good subjects grieved that our Petitione might receive their approbatione of our just desires, so fit and necessar to be represented to your Majesties sight, and preparatione for your sacred consideratione. The great importance of the mater made us expect their Lordships serious recommendatione to your gracious Majestie for a speedie remead of the great discontents conceived by all the subjects heir at the pressing and practeising the Book of Commone Prayer in some places of this kingdome, even efter your Majesties humble Supplicants had, both by petitione and discourse discovered to the Lords of Counsell the said book, and the same, with other novations to be unwarrantable introduced, without consent, and contrair to the good of this kirk and state. The 17 October being appointed for the Toun of Edinburgh to receive your Majesties answer to their Petitione, sent long efter ours, made sum of us to resort thither in expectatione of our answer then, wher, by open Proclamatione, being charged to depart the toun, we wer hevilie grieved to find any noat of suspitione put upone us by the Prelatts who did owne that as their owne, and had foretold their procurement of it; and the Lords of Counsell professing themselves inhibite by your Majestie to receive any Petitione from us that concerned church maters, did so increase our sorrow to be barred that legall and lowest way, patent and allowed to the meanest of your Majesties subjects, as we wer forced, by complaint to the Lords of Counsell, plainlie to discover that the new Book of Commone Prayer (acknowledged by its frontispice to be composed by the Archbishops and Bishops of this realme, was published, pressed upon the subjects, and maintained by them,) did containe the seids of diverse superstitions, idolatrie, and false doctrine, as also their new Book of Canons and Constitutions, for government of the Church of Scotland, did overthrow the established

Copie of
Rothes'
draught of
the Suppli-
catione to
the King.

church discipline, and tendit to introduce abolished superstitions and errors; and offered to manifest the introducing of such other innovations on the doctrine and discipline of the Church, (ratified by your Majesties Father of worthie memorie, and by your Majesties selfe in your late Parliament,) and their unwarranted power to force the same, as did necessitate either our breach to God in doing against conscience, or being lyable to the loss of our fortunes and liberties by their High Commiſſione, which is a judicatorie against the standing lawes of this kingdome, prejudiciall to your Majestie in your honour and benefeit, contrarie and croſeing the judicatories alreadie established by law, both in forme of judgment and punishment, and extreame hurtfull to the subjects. Finding our so long silence and patient suffering had encouraged them to that height of usurpatione, we could no longer containe and be answerable to our God, whose honour was impaired, to your Majestie, from whose pietie and justice (as his great deputie) we might expect redresse, nor to the state, whose encreasing disease requyred a speedie cure fra your blisfed hands; thogh your Majesties Counsell (the right channell for conveying the knowledge heirof into your royall mind) wer sensible, and could not deny thir evils, yit wold they not proceed further at that tyme than to put us in hope of your Majesties answer, sum of them exhorting us, by a small number from the whole, to wait and follow our Petitiones. Wherupone we convened againe the 25 November, and choosed a small number to wait and follow the same; and albeit our meeting was verrie frequent, yit the redines of our obedience to your Majesties Counsell did appear in so quyet ordering of ourselves, as the Counsell approved, and Prelatts admired the same.

Wee desiring the answer of our Supplications from the Lords of Counsell, wer delayed till the Earle of Roxburge his coming hither, by whom their Lordships made us expect the same; but returneing at his arryvall wer appointed to attend the Lords of Counsell at Dalkeith four severall dyetts, wher, after many delayes, the saids Lords of Counsell read our Supplicatione, Complaint, and Bill, the 21 December last, and promised to represent the same to your Majesties royall consideratione, with that earnest care befitting maters of that consequence. Belevyng my Lord Thesaurer caried these to your Majesties hands, and at his returne, being filled with the expectatione of a gracious answer, we wer soon prevented by the rumour of a Proclamatione, that contained many things prejudiciall both to your Majesties selfe and your good subjects, intending to make the same knowne to the Lords of Counsell at Sterline, and to have taken a course by them for your Majesties further informatione, wer tyed by the order of law to declyne these on whom we complaine from being our judges; and upon the Lords refusinge to admitt the same, and from barring us from further dealing with themselves, were forced to protest for having our immediat recourse to your Sacred Majestie, as the common father of this state, for curing hir woundit liberties, and the great master holding the just ballance to dispence encouragement to the deserving, and corrections to such as, breaking the strong bands of religion and justice, smite their fellow-servants. Wee then, without any intercessor than the exceeding importance of so great a busines, doe most heartlie beg ane access to all our former, and this most humble Supplication to your Majestie, for looking first on the decaying estate of our church, now rent with intestine discention, occasioned by these tares of heresie in doctrine, superstitione and idolatrie in worship, and tyranny in government, bot latelie saven amongst us, who have been the freest of any natione of any sic mixture; and be gratiouſlie pleased to prevent the same by the tymeous appointing of a nationall Assemblie, the only judicatorie allowed by our law for ordering such maters, and fittest meane for restoring the truth, and setting a course for

the stedfast retaineing of the same heirefter, and that knowledge and pietie may encrease, which are the strongest and firmeſt bands of obedience to your Maſteſtie; and that your Maſteſtie being pleaſed to call a Parliament for hearing and redreſſing the juſt grievances of the ſubjects, for renewing and eſta bliſhing ſuch lawes as may be found good for your Maſteſtie and the ſubjects, ſhall therby doe a work to make your ſacred Maſteſties perſon famous and exemplar throw the world, and infinitlie beloved heir among your Maſteſties ſubjects, who, receaving ſuch content, will expreſs the ſame with the beſt tokens their affections or fortunes can bear, and make you glorious heirefter. Moſt humble beſeiching that your gracious Maſteſtie will be pleaſed to give a full and patient hearing to theſe, even for his bleſſed names ſake, whoſe honour it concernes, and for the good of your Maſteſties antient kingdome, and of us your faithfull ſubjects, our exceding reſpect to your Maſteſtie, our orderlie and humble cariage in all the courſe of this ſo important and affair concerneing religione, (which we offer to make good in deſpite of all calumnie,) our reverence in all our words and actions (as becometh) to your Sacred perſone and authoritie, our propenſione and continuall cuttome of pouring out our moſt heartie prayers and wilhes for your Sacred Maſteſtie, our willing obedience to undergo your lawes and have others to doe ſoe, may teſtifie our faithfulnes to ſo good a King, fra whoſe goodnes, wiſdome, and juſtice we may certainlie expect the acceptatione of theſe our humble and juſt deſires, and ſuch ane answer as may encrease the bleſſing of God on your Maſteſties perſon and government, and the bund affections of all your ſubjects, and of us, who, nixt to the ſalvatione of our ſoules, ſhall be moſt careful to give your Maſteſtie all lawfull content by our dutifull obedience, and ſhall heartilie pray to the Lord for your many dayes, for a prosperous and religious raigne over us,

Your Maſteſties moſt humble and obedient ſubjects and ſervants.

About the 26th day of March, upon the returne of the Juſtice-Clerk March 26.
from Court, who had gone up with the inſtructions from the Counſell after our meiting at Stirling, and ſubſcriptione of the Covenant at Edinburgh, and that the Theſaurer, Privie Seall, and Lorne was ſent for by his Maſteſtie, with whom he profeſſed he wold be informed and advyſed in our great buſſines, a number of the Supplicants was drawne to Edinburgh, ſuch as Rothes, Montroſe, Louthian, Dalhousie, Home, Loudone, Balmerinoch, Lindſay, Cranſtone; wher, having ſpoken at length with Lorne, and Rothes and Loudone haveing learned his mynd, that ſeemed rightlie and religiouſlie inclined to tell the truth to the King, and ſpeciallie, that he could never be righted in his honour by diſchargeing things befor they wer lawfullie tryed, and then to lett the blame lye wher it was indeed. The Theſaurer appointed Rothes to come to him, and promiſed to ſend his coach for him, but ſkipt away, and ſent ane apologie with Captaine Stewart, deſireing him to ſpeak what he wold have ſpoke to him to Lorne.

At that tyme, the Supplicants, finding both Bishops and Statefmen incline to urge a discharge of the Service-book, Book of Canons, and tempering the High Commiffione, as it was in King James' tyme, did find it neceffar to fett out fomething for informinge the people in the nature of our desires, that fo they being found fo neceffarie might not be deceaved, nor taken with the fuggestiones of fuch as thocht the difcharge of the books and tempering of the High Commiffione fufficient. Thefe wer remitted to be penned by Mr. Archibald Johnestone, advocat, and Mr. Alexander Henderfone, minifter, wer revifed and mendit by the noblemen, bearing the title as followes :—

*The Leaf that can be asked to fettle this Churche and Kingdome
in a folid and durable Peace.*

The leaf
that can be
craved for
Peace.

1. It is certane that the prefent not urging, or the prefent difcharginge of the Service-book, Book of Canons, and laft High Commiffione, cannot fatisfie our Supplications, Complaints, Protestations, Confessions, cannot remeade the prefent evils, nor preveine the lyke in tyme comeing.

2. Experience fheweth the neceffitie that this kirk muft be fecured by ane Act of a free Generall Affembly, and of ane Parliament, that fhe fhall never be urged heirefter with any alteratione in points of doctrine, divyne worfchip, and churche government, bot which fhall be firft agried upon in lawfull free Generall Affemblies, which is the order appointed by God, obferved and preferyved in this church fince the Reformation, and the principall meane to give fatisfactione to all mens myndes in maters of religione fua far as is poffible.

3. Paftors and professors can never be free of troubles or fears, fo long as the terrour of the High Commiffione ftands over their heads, which cannot be limited, but quyt difcharged. 1. Becaus it was introduced and exercifed, not onlie without lawe of this kirk and kingdome, bot againft the exprefs acts of both. 2. It is a court of ecclesiastick and civile perfons, haveing power to inflict both fpirituell and temporall paines; and therfoir, being in the constitution thereof unlawfull, cannot be qualified with any limitations. 3. A commiffione for ecclesiastick perfons to inflict fpirituell censure cannot proceed from the King, bot from the Generall Affembly of the Kirk; and ane commiffione to civile perfones to inflict temporall paynes for ecclesiastick caufes cannot bot proceed fra the Parliament, at the defire of the Affembly. 4. It fubverteth all other lawfull judicatories of this kirk and realme, and endangereth the liberties, eftates, and perfones of the whole leidges.

4. The urginge the Articles of Perth, under ecclesiastickall and civile paines, hath caufed great truble and divifione in the church, made way for all the fubfequent novations and fuperftitions, and yit is neither warrantit by the Act of Affembly, which doeth neither containe any penaltie, nor enjoyne by way of precept, neceffarie to be obeyed, bot be way of counfell freeilie to be obferved; and that upone this reafone, feing all memorie of bygone fuperftitione is paff, which, being *anima legis*, inferreth, be way of contraries, the neceffitie of our not obferveing, feing the memorie of bygone fuperftitione is now revived, and preffed, according to the laft claufe of the 21 article of our large Confessione of Faith, ratified in Parliament and according

to our promifes in our late Confefſione : neither yit is warrantit by the Act of Parliament, which doe ratifie the Acts of this Affembly, without any defire fra the kirk, yea, contrair to the Supplications and Proteftations of many godlie and learned in the miniftrie, but neither intendit nor could change the frie voluntarie obſervance, in maters eccleſiaſtical, of a church counfell, unto the neceſſarie obedience of a penult ſtatute ; and therfor the urging of Pearth Articles muſt ceaſe and deſiſt.

5. There is no appearance of laying the preſent commotiones and combuſtionnes in this kingdom, of ſattiſfing the Kings honour and mind, miſinformed by our adverſaries, nor of clearing the ſubjects pious loyaltie, in their legall and peaceable proceedings, from all calumnies and miſconſtructions, except in a free Generall Affembly ; the preſent Archbiſhops and Biſhops, the authours and cauſes of all innovationes complained upone, and of all miſinformationes againſt the complainers, to be tryed and cenſured according to the Acts of the Generall Affemblies ; for it is againſt all law and reaſone that they ſhould, without any cenſure, be ſuffered to rule at their pleaſour, and their own act, at the Affembly at Glaſgow, wherby they have their power appointed them to be cenſured in their lyff, office, and benefice, by the General Affembly ; ſiclyke that miniſters be tryed in their office and converſatione, and cenſured according to the Affembly and Acts therof.

6. For keeping the puritie of religione in this kirk, and eſtabliſhing a firme peace in this kingdom in tyme comeing, Generall Affemblies muſt be holden at the ordinarie tyme ; for the commiſſioners appointed by King James for the Affembly at Lithgow, 1606, and others acquainted with his Majeſties intentiones, did declare that his Majeſtie was never of another mynd, bot that the holding of Generall Affemblies, at certane competent tymes, was and is a moſt neceſſary meane for preſervatione of pietie and unione in the kirk, and for exterminacione of hereſie and ſchiſme, (which our dolefull experience of innumerable evils following upone the want therof doeth undenyable confirme) ; and therfor it was his will that the Act of Parliament ſould ſtand in force, for conveying the Generall Affembly once in the year ; lykas it was acknowledged in the forſaid Affembly at Glaſgow, 1610, that the neceſſitie of the kirk did crave, that for taking order of the common enemy, and for urther affaires of the kirk, ther be yearlie Generall Affemblies ; and, therfor, that Affembly humblely requeſted his Majeſtie that Generall Affemblies might be holdin once in the year, or at leaſt at ſett tymes, for all tymes comeing.

7. The leaſt can be fought for the preſent, concerneing miniſters voters in Parliament, is, that they be limited by the particular caveats agreed upone, firſt in the Affembly 1600 at Montroſe, and by any other Canons to be made, as the Affembly ſhall think meet and neceſſary, (from our 37 years experience of the fruits and conſequences therof,) as it was appoynted at that tyme ; for ſo long as they vote in Parliament abſolutlie without the limitatione of their Canones, they can never be thought to vote in name of the Kirk.

8. Ther can be no hope of the continuance of religione in this Kirk, (altho we wer delivered from all other evils,) except ſum better courſe be taken for the free entrie of miniſters, without unlawfull oathes, and with the conſent of the preſbitrie and of the people. For this end, it wold be remembered that it was declared, Act 114, Parl. 1592, That God hath given to the ſpiritual office-bearers of the Kirk collatione and deprivatione of miniſters ; and therfor the Commiſſione grantit to Biſhops, 1584, to receive the preſentatione to benefices, was declared to be null in tyme comeing, and it was ordained that all preſentationes to benefices be directed

to particular presbitries in all tyme comeing, with full power to give collatione therupon; they being the lawfull office-bearers of the Kirk, to whom God hath given that right, which, therfor, neither was nor can be taken from them absolotlie and given to Bilhops exclusivlie.

Bilhops go
to Court.

Befoir this tyme [the] Bilhop of Brichen was gone for Ingland to incense his Majestie, and Rofs had followed immediatlie efter; Thesaurer and Lorne followed, the Chancellor, President of Session, [and] Clerk Register.

March 26.
Sum ap-
pointed to
go North.

About the said 26 of Marche, it was thoght fitt to send sum to the North to the sherrefdome of Innernefs, &c. for dealling with these ther; becaus Rofs had said, Marquise of Huntlie wold get all things done in the North parts: whereon letters wer writ to the Earle of Southerland, Master of Beridale, Lord Lovate, Laird Ballingown, name of Mackenzie, Graunt, M^rIntoshie, all to meit at Innernefs 25 Aprill, to see and subscrieve the Confessione of Faith; and Sutherland and Beridale to deall with the rest. Ther wer sent from this the Laird of Innes, Mr. James Baird advocat, Mr. Andro Cant and Mr. George Leslie ministers. Thes had all Informations.

Apryll 20.
Sam Noble-
men meit
about the
answer re-
turned fra
the Duke,
&c.

About the 16 Aprill, Mr. George Haliburtone, who had caried the letter from the Supplicants to the Duke, Marquise, and Mortone, returned; whereupon a number of the Supplicants wer ther on the 20 of Aprill, as Rothies, Lothian, Cafsles, Lindsay, Dalhousie, Balmerinoch, Carnegy, Elcho, &c. He broght back the Supplicatione stamped, never sturred. Haddintone was muche delt with to have showne it; bot wold not break it up, except his Majestie wold grant absolotlie to receive it fra us. He broght answers to our letter, viz. a letter from the Duke to Rothies, from the Marquise to Montrose, and from Mortone to Cafsles, all of one tenour, as followes:

This being the copie of the Dukes Letter to Rothies.

My Lord,

Dukes letter
to Rothies.

The letter directed to the Marquise of Hamilton, Erle of Mortone, and myself, signed by your Lordship and dyverse other noblemen of qualitie, we jointlie read. Therefter, according to our dutie to his Sacred Majestie, we acquainted him with the contents therof; who, having taken the same into his royall consideration, hath commandit this answer to be returned:—That as hitherto his Majestie hath bein ever gratioullie pleased to receive the Petitiones of his subjects, they being so conceived in mater and forme as was fitting to be presented by dutifull and obedient subjects to a gracious and just prince; nor is he unwilling to receive yours, being in maner as said is. And further, his Majestie hath permitted us to lett you know, that his

Counsell hath from tyme to tyme acquainted him with your Supplications, wherupon diuerſe directiones hath bein already given; bot nat finding them ſo cleirly underſtood as was wiſhed and expected, his Maieſtie will yitt be pleaſed further to explaine and declare himſelfe what his royall intentions ar, and therby, no doubt, free the hearts of his loyall ſubjects from any fears of innovatione of religione, and eaſe your Lordſhip of the trouble either of ſending your Supplications, or coming with them yourſelves.

Your Lordſhips affectionat friend.

Whythall, April 11.

The Noblemen getting notice that the Kings Maieſtie wold not ſuffer them to be answered conioyntlie, leaſt they ſould have therby bein acknowledged and incorporatione, thought fitt the answer ſould be ſigned by Rothes, Montroſe, and Caſſles conioyntlie, and in name of all the reſt of the Supplicants; that the letter ſould have reference to a note to be deliuered to them by Earle of Haddintone, as bearing the Supplicants deſires that the ſame and reaſones therof might be knowne to his Maieſtie befor he gave out any further declaratione of his mynd, as the letter bears, drawne up by Rothes at the command of the reſt; the tenour wherof followes:

Reſolutione
for anſwer to
the Duke,
&c.

Our Moſt Noble Lords,

Although your Lordſhips wer pleaſed to anſwer ſeverallie and to us only, that letter ſent, in name of the whole Supplicants heir, for obtaineing knowledge, by your Lordſhips means, of the way his Maieſtie wold preſerue for convoying our ſo much neceſſitat Supplicatione to his Maieſteis royall hands, yitt wer tyed in accompt to them all intereſſed; and theſe haueing conſidered your ſeverall letters of one tenour, have commandit this anſwer, which from us all moſt render you the heartie and humble thanks of your paines, and moſt earneſtliche beſeiche the continuance of your powerfull endeavours in this buſſines, deſerveing the greateſt and beſitting the beſt affected inſtruments. And wher his Maieſtie hath declared himſelf informed of all our Supplications by his Maieſteis Counſell, it doth ſeem, they could not weell know our mynds who wer ſo unwilling to be informed by us. Sumtymes their Lordſhips pretendit themſelves inhibite to hear, and wer alwayes moſt unwilling to receive ſo full informatione as we wer often readie to have given. Their ſpeciall endeavours tendit to enduce us to reſtraine our Supplications, and ſuppreſs theſe ſpeciall evils, which we offered to prove wer extreanlie prejudiciall to religione, to the honour of our Sacred Sovereigne, and to the whole ſubjects, which makes us conceive them not to know ſo fullie either of our deſires, or theſe things fitt to be redreſſed, except they have informed themſelves in a private way. And theſe diuerſe directiones affirmed by your Lordſhips to have followed upone our Supplications, and not to be ſo cleirly underſtood by us as was wiſhed, have, by appearance, ſlowed either fra the ſpareing informationes of the Lords of Counſell, or from ſum of our adverſaries, worthie ſmall credite. The ſaid directiones publiſhed neither anſwering our Supplications nor agreeing among themſelves, as may be eaſilie

Letter of
Rothes, &c.
to the Duke,
&c.

cleered, did beget great greife in us all, to find his gratiours Majestie so wronged : And, to prevent the further declaratione of his Majesties pleſour, wherof your Lordships writ, may not be wanting through defect of good informatione, to ſatisfie what in juſtice and conſcience is requyred, We have entrusted a note to be delyvered to your Lordships by the Earle of Haddintone, conteineing theſe things requyred by us, ſet doune with ſuch moderate conſideratione, as thinking we can neither be anſwerable to God Almightye, nor enjoy the peace of our own conſciences if we ſould paſs from any thing contained therein ; beſeeching your Lordships advertiſment if his Majestie be not pleaſed with theſe our humble deſires, or any part thereof, that ſo we may returne to the ordinarie way of a Supplication, which ſhall be prepared and preſented upon our perills, that being the only way for acquainting ourſelves in this great and publick buſſines. Your Lordships may go on with great confidence in dealling with his Majestie, altho by miſinformatione his Majestie be now ſumewhat difficle ; our buſſines being ſo juſt, and theſe that have informed againſt us and moved all theſe troubles, wanting all legall defences ; ſo that being put to the deſired tryell, which they ſhunn, they will be forced to ceace of their onlie ſhelter from his Majesties mercie and compaſſione ; for tryell will ſtrye them of bold calumnies, their preſent weapons, which doth now ſo much harme us and uphold them. By theſe meanes his Majestie preſerves that love and heartie obedience due by all to his royall perſone, the ſubjects are freed from the troubles they underlye at home, imputationes from abroad ſalbe placed on the right owners, and all others cleered who are wrongfullie blamed ; the inſtruments in this good work ſhall deſerve a laſting commendatione for ſo great and univerſall benefite as a ſolid peace to this church and ſtate, and obtaine a bleſſing from God above, being confident that your Lordships affections will be no leſſe then your intereſts to ſhare in all theſe goods ſo heartilie wiſhed to you, by us,

Your Lordships affectionat and humble fervants.

The note was drawne by Mr. Alexander Henderſone, very ſmooth ſparing to ſatisfie Caſſes ſcrupuloſitie ; the tenour wherof followes :

Articles for the preſent Peace of the Kirk and Kingdome of Scotland.

Articles for
the peace of
the Kirk.

If the Queſtione wer about ſuch maters as did come within the compaſſ of our owne power, we wold be aſhamed to be importunat, and ſould be verrie eaſilie ſatisſied, without the ſmalleſt trouble to any. Bot conſidering that they are the maters of Gods honour, of the kingdome of Chriſt, and peace of our ſoules, againſt the myſtirie of iniquitie which we cleirlye perceave to have been unceſſantlie working in this Land ſince the Reformatione, to the ruine of the true religione in the end, it cannot ſtand with our dutie to God, to our King, to ourſelves, and the poſteritie, to crave or to be content with leſſe then that which the Word of God and our Confeſſione of Faith doth allow, and which may, againſt our fears, eſtabliſhe our religione for everafterwards.

Diſcharge of
the Books.

1. The diſcharge of the Service-book, the Book of Canons, and laſt High Commiſſione, may be a part of the ſatiſfactione of our humble Supplications and juſt complaints, which, therfor, we ſtill humblely deſire : bot that can neither be a perfect cure of the preſent evils, nor can it be a preſervative in tymes to come.

2. When it is considered what has been the troubles and fears of his Majesties most loyal subjects from the High Commission, what is the nature and constitution of that judicatorie, how prejudicial it proves to the lawfull judicatories of the kirk and kingdome, how far it endangereth the consciences, liberties, and estates, and persons of all the lieges, and how easilie and far more contentedlie all the subjects may be kept in order and obedience to his Majesties just lawes, without terrour of that kynd: we look that his Majesties subjects, who have been used to obey according to the lawes, shalbe altogether delivered from the High Commission, as from a yoke and burthen which they feell and fear to be more heaveie than they shalbe ever able to bear.

Abolishing
the High
Commissione.

3. Remembering by what wayes the Articles of Pearth wer introduced, how stronglie and with what opposition they were caried in the Assemblie, upone what narrative they wer concluded, how the ratificatione in Parliament was not desired by the Kirk, but earnestlie supplicated and protested against, how they have been introductory to the Service-book, wherof now they are become members, and in their nature make way for Poperie, (whatsoever has been the intentione of the urgers,) and withall what troubles and divisions they have caused these twentie yeirs in this Kirk and kingdome, and what jealousies betwixt the King and his subjects, without any spirituall profite or edificatione at all; as we can see no reason why they should be urged by authoritie, so can we not find but we shalbe more unable to digest them then in the beginning, when we had not as yet tasted nor knowne how bitter and unwholsome they are.

Freedome
from Pearth
Articles.

4. The judgment of the best divynes in the reformed kirks, and of the most pious and learned of this kirk since the Reformation, concerning the civil places and offices of kirkmen, and concerning the vote of ministers in Parliament, hath been made knowne in dyverse Generall Assemblies, which proved the Assemblies of this kirk, when they could not by their modest oppositione prevail to limite the ministers who wer to vote in Parliament, by many particular Canons agreed upone at first, and ordained to be insert in the Act of Parliament; and by other canones to be made efterward, as the Assemblie should find meet and necessar; and therfor, if we will declare our myndes, efter lamentable experience of the evils which wer then foreseen, feared, and foretold, we cannot see how ministers voting in Parliament absolutlie, without the limitationes of these Canones, can be thought to vote in name of the Kirk.

About Civile
places of
Churchmen.

5. We have no grivance more universall, more ordinarie, and more pressing, then that worthie men, who have testimonies of their learning from universities, are tryed by the presbiteries to be qualified for the work of the ministrie, and for their lyffe and gifts are earnestlie desired by the whole people, are notwithstanding rejected, because they cannot be perswaded to subscribe and swear such unlawfull articles and oathes as have neither warrant of the Acts of the Kirk, nor Lawes of the Kingdome; and others of less worth; and ready to swear as for base respects, unworthie to be mentioned, obtrudeth upone the people, and admitted to the most eminent places of the kirk and schoolls of divinitie; which causeth continuall complaints, makes the people run from their owne kirks, to refuse to receive the Sacrament at the hands of the ministers set over them against their hearts, or to render them that honour which is due from the people to their pastors, and is a mightie hinderance to the Gospell, to the soules of the people, and to the peace of the whole Kirk and Kingdome; all which might be easilie helped by giving place to the 114 Act of Parliament, 1592, declaring that God hath given to the spirituall office-bearers of the Kirk the collatione, deprivatione of ministers, and ordaining that presentations to benefices, be directed to particular presbiteries in all tyme coming, with full power to give collatione ther-

Anent the
entrie of
Ministers.

upone, they being the lawfull office-bearers of the church, to whom God hath given that right, which, therfor, never was nor can be taken from them, and so conferred upone others, as that they false quytt secludit therfra.

Yeirlic General Assembly.

6. The lawfull and free nationall Assemblies of this Kirk, warrandit by divyne autoritie, ratified by Acts of Parliament, kept in other reformed kirks and in this kirk, and acknowledged by King James to be the most necessar meanes for preservacion of pietie and unione, and for exterminacion of heresie and schisme, (who willed, therfor, that the Act of Parliament for conveneing the General Assembly once in the yeir should stand in force), if they wer revived by his Majesties autoritie, appoynted to be kept at the ordinarie tymes, and if once at his Majesties first opportunitie, and so soon as may be convenientlie, should be indicted, kirkmen might be tryed in their lyff, office, or benefice, and kept in order, without trouble to his Majestie, and without offence to the people; the present evils might be speedilie helped, and to his Majesties great honour and content, and to the preservacion of the peace of the kirk, their course might be stopp'd for efterward; as, on the contrair, while kirkmen escape their due censure, and maters of the kirk of God, ar imposed without the consent of the free Assembly of the Kirk, they will ever be suspected to be unsound and corrupt, as shuning to be tryed by the light, to the continuall intertaineing of heart-burnings among the people, and to the hinderance of that cheirfulnes of obedience which is due, and fra our hearts we wih may be rendered to the Kings Majestie.

A Parliament.

7. If according to the law of nature and nations, to the custome of all other kingdomes, and the laudable example of his Majesties worthe progenitours in the lyke cases, of nationall grievances, or of commotiones and fears of the whole bodie of the kingdome, his Majestie should be gratioullie pleased to call a Parliament for the tymeous hearing and redressing the just grievances of his subjects, for removing their commune fears, and for renewing and establisshing such lawes as in tyme comeing may prevent both the one and the other, and may serve to the good of the kirk and kingdome, the peace of both might be firmelie settled, all mens mynds, now so weakned, might be easilie pacified, and all our tongues and pennies ar not able to present what wold be the joyfull acclamationes and heartie wilhes of so loyall and loving a people for his Majesties happines, and how heartilie bent all farts wold be found to bestow their fortunes and lyves in his Majesties service.

More particular notes, &c.

8. The more particular notes for things expedient for the weill of the Kirk and Kingdome, for his Majesties honour and satisfacione, and for extinguishing the present combustion, may be given in to be considered in the Assembly and Parliament.

The letters and these articles being drawne, it was not thoght fitt to committ them to ordinarie cariers or the merchant packet; and, therfor, the Earle of Rothes was desired to suffer his servant, Johne Malcome, to carie up the same, with such other letters as wer writ by noblemen to their particular freinds. The Earle of Rothes was enjoyned by them all to recommend the letter and articles to the Earle of Haddintone, to delyver them to the Duke, Marquise, and Earle of Mortone, and folicite their answer. All

the saids letters being dispatched, Johne Malcome was mett by Mr. Eliazar Borthuick, on the day of , at Newcastle. Mr. Eliazar learning what was the contents of the letter and articles which the said Johne Malcome caried, did bring him beek, apprehending he caried that which perhaps might give sufficient satisfactione to the Supplicants, concerneing the Marquise his downe coming with commissiōne to satisfie many of their desires, if they wold rightlie temper them, and not be extream. At their returne, Mr. Eliazar haveing conference with Balmerinock at Edinburgh, and the next day with Rothes and Lyndesay, and Mr. William Scott and Mr. Alexander Henderson at Cowper, they found Mr. Eliazar had only some private directiones be tongue from the Marquise, which appeared also to be with his Majesties knowledge, shewing that if the Supplicants wold only crave such things as they might crave by standing law, and goe no further, it was lyk his Majestie wold grant a Generall Assemblie and a Parliament, and redresse maters according to the lawes alreadie made. These finding bot small warrand from Mr. Borthuick, and conceaveing his Majestie to be misinformed by these who apprehendit to have more law for themselves and the Supplicants to have lesse then they had, and that his Majestie was not yet so fullie informed concerneing their desires and justnes therof, thought fitt that the letter and note shuld goe forward; and to that effect dispatched Johne Malcolme the next morneing, causeing also Mr. Borthuick to writ with him a verie free letter to the Marquise concerneing the state of busines as they presentlie stand, advyseing his Lordship not to undertake any commissiōne, without he had power to give full satisfactione to the Supplicants, who craved nothing without warrand in law and reason, and wer resolved to stand constantlie to their just demands; that he wold both returne without doing any good, and bring a great deall of hatred on himselfe, if he wer not able to give them content.

Mr. Borthuick haveing informed that Thesaurer and Lorne wer to part fra Court shortlie efter him, and so to be in Edinburgh about the 9 of May, did move sum noblemen to resort thither against the said day, to meet with Thesaurer and Lorne, viz. Rothes, Montrose, Home, Montgomerie, Drumlan-

The Carier of the letter and articles comes back fra Newcastle with Mr. Borthuick.

But efter the conference of sum Noblemen to Mr. Borthuick;

the Carier is dispatched againe.

May 9. Sum Noblemen come to Edinburgh to meet with Thesaurer and Lorne.

Receave letters from the North.

rig, Lindfay, Boid, Loudon, Yester, Balmerinloch, Forrester, Couper, with sum of the Commissioners fra the gentrie, ministers, and burrowes, who waited ther, wher they receaved with great content letters fra the Earle of Sutherland, Master of Beridale, Lord Raye, concerneing their diligence at Stranaver, Sutherland, Cathnes, Rofs, at Innernefs, and in Murray, and the assistance they had got from my Lord Lovate and others; as is more particularlie sett donne in a Relatione of their proceedings ther, sent by them as ane accompt of their diligence, the copie wherof immediatlle followes :

Relatione of the Proceeding in the North.

“ The noblemen, gentlemen, ministers, and burrowes, &c. attending his Majesties answer to their humble Petitiones (at Edinburgh), havinge renewed their Covenant with God, according to the example of their worthie predecessours, considering that, by their oath and subscriptione to the said Covenant, they wer tyed to promote the businesse also much as in them lay, bot in respect of the distance of the place, the great charges, and other difficulties, it was hard for noblemen, gentlemen, and uthers in the North, to repair to Edinburgh, they resolved upone a dyet at Innes the 25 Aprill, and sent advertisements to the speciall noblemen and gentlemen, &c. to keip that dyet; and withall directed the Laird of Innes, Mr. Andro Cant minister at Pitfligo, Mr. George Leslie minister at Bouar, commissioners for the kirks of Caithnes, Sutherland, and Stranaver, and Mr. James Baird advocat in Edinburgh; who, haveing attendit the meittings in Edinburgh, and being acquainted with the whole proceedings, might give them information and resolutione of their doubts and scruples.

Agents in the North.

Mens minds diverselie affected.

“ The day prefixed drawing neir, ther was a great commotione of myndes, on all hands. They that in affectione and practife wer ingadged in the businesse, such as the Earle of Sutherland, Master of Beridale, gentrie and ministrie of the diocie of Cathnes, wer most glad of the occasiōe; uthers of Rofs and Murray, who had felt the smart of Episcopall tyranny, longed for the tyme of releife; uthers of Gallioes temper, preferring outward quyet to inward peace, wer verrie flow; uthers, being darned like a bird that shrouds itselfe under shelters from a ravenous hawk, could not apprehend themselves to be free of danger, till they wer drawne out, and it was evi-

dentlie demonstrate that the wings of the fowll they feared was plucked. Upone the uther part, the Bilhops wanted not their factors and emissaries, especiallie in Rofs; one Mr. James Ainslie, minister at Rosemarkney, commonlie called Chanter of Rofs, and Mr. Thomas McKeinzie, minister at Tarbet; they, lyke faithfull servants to their lord the Bilhop, forseeing the day of the ruine of their kingdome was draweing neer; and perceiving that the Master of Beridale had written to sum of his freinds of the name of Rofs and McKeinzie, to meit him upon Tuisday 24 Aprill, they writ their letters to the ministers of the presbitrie of Dingwall and Channerie, desiring a meiting at Urquhard, upon Thurisday the 20 [19?] Aprill, wher they laboured, partlie by allurements, partlie by threats and terrors, to dissuade them from keeping the meittings at Innernes, and prevailed with many. And lykwayes, upone the 25 of Aprill, they repaired to Innernes, and dealt with all their acquaintance, bot in vaine; and from thence they went along befor the noblemen to Forres and Elgine, spareing no paines for the furtherance of their designs.

Bilhops have
their factors.

“The 25 Aprill, the appointed day being come, there repaired to the toun the Master of Beridale, accompanied with fourtie gentlemen of his freinds and vassalls, notwithstanding they wer earnestlie dealt with to stay at home, and not to follow him; the Erle of Sutherland, with the gentlemen of that countrie; the Lord Rayes, with his countriemen of Stranaver; the Laird of Ballingowne, with the gentlemen of the name of Rofs; [the Tutor of Fowlis] with the name of Monro; the Lord Lovat, with the gentlemen of the name of Frazer; the Laids of Pluskartie, Kilcovie, and Cowle, with the gentlemen of the name of McKeinzie: In a word, the whole gentrie of Rofs (except only the Laird of Cromartie, and one Monro of Affin, a Papist, who was a diligent and earnest seducer) and Glenmorifone, and some of the name of Graunt, Kilraik, and uthers of the west end of Murray.

April 25.
Meiting at
Innernes.

“In the morning, a gentleman of the name of Gordon, stilled Ardonel, brocht letters fra the Marquise to the Erle of Sutherland, the Lord Ray, the Master of Beridale, and uthers, and dealt earnestlie to have stayed them

Letters from
Huntlie to
dissuade.

from subscriptione ; bot was so farr from prevailing, that this dealling produced the contrair effect, and made them the more earnest.

“ The Noblemen and speciall of the gentrie mett in the morning at eight hours, to consult about the maner of their proceeding. The Laird of Innes declaired the occasione and scope of their meiting, and was secondit by the Master of Beridale. They resolved to goe to the parochie church of the toune at two hours, and to reid the Covenant and subscryve the same ; and withall they directed tuo ministers to Mr. William Cloggie, minister of the toune, to desire his concurrence to the actione, who refused the same.

“ At two hours, Mr. Andro Cant, efter ane exhortatione, read the Covenant out of the readers seat, and exponed it. Then they proceedit and subscryvit, first the noblemen and speciall gentlemen, then the gentrie of each shire. The Master of Beridale, to provocke the gentrie of other shires, haveing a roll of the gentlemen of Caithnes, called them by their name to subscryve. James Maccullo, balzie and commissiounar for the toune of Tayne, subscryvit in name of the toune ; wherupone Sutherland succeedit, and so went on most cheirfullie. The ministrie at first haveing proponed their doubts, which in effect wer perceaved to arise from fear rather than any scruple of conscience, desired at first a continuatione till the next day ; which being granted, as non ther did (or pretendit to have any point to) urge any ; yit seing the allacritie of the gentlemen, and cheirfulnes of their countenance, they came to, and subscryvit with joy and gladnes : All the Presbitrie of Tayne, save one ; out of the Presbitrie of Chanrie only one, Mr. George Monro, (the Presbitrie of Dingwall came to the toune bot that night) ; tuo ministers out of Stranaver ; thrie out of Caithnes in name of that Presbitrie ; tuo out of Sutherland, in name of that Presbitrie. It was profest by all, that it was the joyfulest day that ever they saw, or ever was sein in the North ; and it was marked as a speciall mark of Gods goodnes towards these parts, that so many different clanes and names, among whome was nothing before bot hostilitie and blood, wer mett together in one place for such a good cause, and in so peaceable a manuer, as that nothing was to be seen and heard bot mutuall imbracements, with heartie praise to God

Confessione
subscryved
by the nobi-
litie, gentrie,
and miniters
of Catlmes,
Sutherland,
Rofs, Stra-
naver.

for so happie a unione. That night, all that wer present havinge subscribed, the actione was concludit with praise and thanksgiving.

“Aprill 26, at eight hours morning, the counsell of the toune of Innernes conveyed in great frequencie. Mr. James Baird delyvered a letter to them from the Burrowes, and presented the Covenant and red the same. The noblemen and speciall gentlemen came in. The Proveft and tuo other of the counsell refused to subscribe, pretending that their toune lay invyroned amidst the Hielands, and named speciallie the Laird of Graunt and M^cIntosh, who had not subscribed; notwithstanding, they wold not be a hinderer to any of the toune that wer willing to goe on. Whereupon presentlie one of the balzies, called Robert Balzie, stood up and said, ‘Weill, my Lord Proveft, if ye will not goe on, we fall make yow a thinn bak;’ and called up the drummer of the toune, and commandit him to touck the drum, and commandit all these that feared God to come presentlie to the Tolbooth and subscribe the Covenant; which directione being mistaken by the drummer, he added unto it sum penaltie of goods, &c. This gave occasione to our adversaries to calluminate our proceedings, as if the directiones upone such paines of lyfe, &c. had bein given by the Noblemen, &c.; wheras in effect it is knowne to all that wer present, that it was from the said bailzie, and in the said tearmes allanerlie, the hail bodie of the toune conveyed and subscribed most gladlie, all that could; they that could not, be a Nottar.

Apryll 26.
Innernes
toun dealt
with, and
subscribed.

“After dinner, they repaired to the toune kirk. After exhortatione, the Covenant was red, and againe declaired. Then the Lord Ray, who was not present the day preceeding, subscribed with sundrie gentlemen, the ministrie of the Presbitrie of Dingwall in Ross, [and] sum ministers of the Presbitrie of Innernes in the diocese of Murray. A letter came from M^cIntosh, excusing his absence, by reasone of his late advertisement and far distance, being in Badzenoch, and geiving assurance of his concurrence. The same night, the Noblemen, &c. directed letters to the gentrie of Murray, especiallie these of the midle of it, about Forres, to meit at Forres upone Setterday at ten hours; as also to the ministrie therabout.

Lord Ray,
sum mini-
sters and
gentilmen
new come
subscribed.

“Upone Setterday 28, they mett at Forres, whither repaired the Sherreff of

April 28.
At Forres
many genti-
men and mi-
nisters sub-
feryvit, and
the Toune.

Murray, with the gentlemen of the name of Dumbar, and other gentlemen about. The ministers of the Presbitrie mett in the kirk, and with them Mr. George Leslie and Mr. James Baird advocat. They proponed their doubts, and received satisfactione. Then the noblemen came to the kirk, accompanied with the gentlemen. After ane exhortatione, the Covenant was red and declaired by Mr. Andro Cant. First the gentlemen begane to subferyve. The ministers wer sumthing flow, and desyred a delay, and wer dealt with by the Master of Beridale, who shewed them how ill it became them to be so flow, who shoud be ringleaders to others in such a good cause. He urged them with the example of Felix, who shifted Paul, and wold have heard him another tyme, bot never had the occasione. Whereupon one Mr. John Hay, minister of Rafuird, a honest man, called upone the the rest, and said, 'Let us goe on, bretheren; wee have been too flow hithertill.' And so he went on and subferyvit, and all the rest followed, even all the ministers of that Presbitrie, save one called Cummine. In the meane tyme, the Master of Beridale, and Laird of Innes, and Mr. James Baird, went to the Tolbooth, wher all the bodie of the toune subferyvit most cheirfullie. The actione being endit with prayer and thanksgiving, the noblemen appointed a meiting at Elgine, upone Monday at ten hours, and sent advertisements to the gentlemen in the east end of Murray.

April 30.
Noblemen
and speciall
gentlemen of
Murray sub-
feryvit at
Elgin, and
the Toune.

" Upon Monday 30, the noblemen and speciall gentlemen of Murray repaired to Elgine, and, haveing mett in the morneing, sent for Mr. Johne Gordone, minister of the toune, desired him to go with them to the kirk, and reid the Covenant and exhort the people; which he refused obstinatlie. At ten hours they went to the kirk, where being sett, Mr. Andro Cant, efter ane exhortatione, red the Covenant and explained it. Therefter the gentlemen subferyvit; the Earle of Murray his whole people came in, with his balzies and chalmerlaines; John Leslie, bailzie of Rothies, Mr. John Weymes, minister ther, with the gentlemen therabout; all the gentrie of these parts subferyvit, except sum few that wer keipit back by the Bishops' dealling, or had speciall interest to the Bishops or Gordons. In the meane tyme, whilst the gentlemen ar subferyving in the kirk, the toune coun-

Onlie three
ministers
subferyvit at
Elgin.

fell conveyed in the Tolbooth, and with them the Master of Beridale, the Laird of Innes, [and] Mr. James Baird. At first they wold have subscribed with a Protestation that they might have libertie to kneell at the communion; which being absolutlie refused, in end they agreed all in one to goe on in the common course and manner, and so subscribed. At twelve hours, the Laird of Graunt came to toun, accompanied with Ballindalloche and 24 gentlemen of his name and followers. He came to the kirk, and the Covenant was red againe to him and his people; for they subscribed, and the action was ended with exhortatione and heartie thanksgivinge to God. The noblemen and gentlemen, with mutuall embraces, and expressions of love and amitie, and of their affectione toward the good cause, took their leave one of another, and returned toward their owne severall dwelling-places.

“Upone the Lords day, May 6, the Master of Beridale, being on his journey homeward, the people of Chanrie-Rofs repaired to him, and desired that the Covenant might be red to them. Two of the balzies, being elders, in name of the people desired earnestlie Mr. George Leslie to preach that day and reid the Covenant, and take their oathes and subscriptions. He being unwilling to frustrate their earnest desires, especiallie considering that, in the Bishops absence, the people are destitute of the means, did condescend, and desired to ring the bells at the ordinarie tyme. After the ringing of the second bell, before nine hours, Mr. James Ainslie, minister at Rosmarkney, leaving his owne place void to disappoint the other, that he could not be hindered took a compass about the toun, as if he had been making for his owne kirk, and so retired by another way, and steept up to the pulpit, and preached to my Lady Bishop and hir familie. The people, by the earnest dealing of the Master of Beridale and sum honest men in the toun, were hardlie kept from pulling him out of the pulpit. His sermon being ended about twelve hours, the whole people repaired to the kirk, when Mr. George preached; and after sermone, having premised an exhortatione, began to reid the Covenant. A little after the beginning, there arose a noyse in the kirk, occasioned by a fire that was kindled in a house of the

May 6.
Covenant
read and
sworne at
the Chanrie
of Rofs.

towne, belonging to the Bishops tailyour ; wherupone arose a noyse in the kirk, and sum people went furth ; among the rest, the Bishops Lady, Mr. Ainslie, and uthers of the familie, who had stayer till that tyme, and heard the fermone and the begining of the Covenant. Presentlie, the mater being knowne, the people satt down, and the Covenant was red out, and the heads therof declaired ; and soe the people went on and subferyvit. Evrie honest man in the toun that could subferyve did soe ; uthers that could not gave power to a Nottar to doe it for them : which being endit, the heads wer againe repeated, and efter ane short exhortatione to constancie, evrie man and woman in the kirk holding up their hands, the oath was solemnlie taken, and the actione concludit with the blessing."

The Noblemen at Edinburgh haveing red this the Northland diligence, wer verrie weill pleased therwith ; and at this tyme, being the 9 May, they thoght on these following Motiones :

The Motiones May 9, which wer spread.

1st, For observing of unione, It is thought fitt, that no answer be made to any of the Statesmen or uthers haveing commissioun from the King concerneing the publick buisness bot with commone consent and advyce, according to the Article of our Covenant against divisive motiones, tending to the breach of our unione : It wold be told them plainlie, we will repute them as unfriends both to us and our cause.

2d, For better method in prepareing and handling of mater to be treated of, It is thought fitt, that there be a committie chosen of all estates ; and sum of the gentrie, burrowes, and ministers, to be present at the meeting with the noblemen.

3d, It is thought fitt, That all who ar interest may attend punctually the dyetts and meetings with the rest of their number appointed for the good of publick buisness. And least our adversaries fould (upone the frequent attending of the Privie noblemen and Statesmen) take occasione to affirme that they have power to dispose of their freinds in this cause, their attendance wold be the more shuned, to shew that we will depend on no man who is of ane adverse judgment, or about a contrarie employment in the mater of our covenant and consciences.

4th, If ther be any new Proclamatiōne, It is thought fitt, that it may be obviatē, and rancountēd with a new Protestatiōne, which wold be conditit upone, and wold containe our last Articles in substance; and that our Protestatiōne may be backed with good informatiōne and reasōnes, and sent with dilligence by the commissiōnars to the severall parts of the kingdome, that they be not deceaved nor surprisid with Proclamatiōne or other suggestiōne; and that the copie of our Protestatiōne may be given to the commissiōners of shires and burghes, to meitt the Proclamatiōne in all parts neidfull.

5th, If the discharge of the Service-book, Canons, and limitatiōne of the High Commissiōne be granted, and that the Statesmen and Commissiōner offer, the King wold grant all wee can crave, which is not repugnant to law, and alledge that Episcopall power and the Articles of Pearth Assemblie ar established by law, It is answered, That the abuses of Episcopall government ar contrair to law, and censurable by law; and the Articles of Pearth Assemblie shold be rightlie interpret, and our desires for the free and yeirlic exercise of Generall Assemblies, free admissiōne of ministers without unlawfull oathes, the ceasing of the Articles of Pearth Assemblie, and the limiting of the Prelats boundless usurped power, according to the caveats of their first admissiōne, all are agreeable to law, for the reasōnes contained in our Articles: And if the Bishops, Statesmen, and others, be of a different judgement from the most part of this kirk and kingdome, the Generall Assemblie and Parliament, who wer the law makers, ar only competent judges for interpreting their owne acts, whose decisiōne we crave; And altho the law wer interpret as they alleadge, (which is altogether untrue, and contrair to the grounds and meaning of the law,) yitt the bodie of the kingdome, for whose good the law was made, may crave lawfull redrefs of the grievances sustained by that law; and our Complaint, Supplicatiōnes, and Protestatiōnes against the Bishops depending in proces for cleiring the subjects loyaltie, and repairing the wrong complained of, cannot be utherwayes lawfullie decydit, the present ills cannot be remeadit, nor the lyke or worse prevented in tyme to come.

6th, It is thought fitt, That all who have subfcriyvit the Covenant be made fenfible that they ar obliged, by their oathes, not to refte fatisfied with leffe nor the defire of our Articles, which ar agreeable to law, confeience, and reafone ; and without which we will be fruflrate of our ends, and our adverfaries betyme will obtaine the eftablifhment of the things we complaine of.

7th, It is thought fitt, That the number of the Commiffioners be doubled, againft the Statefmen and Marquis doune comeing ; and that all be ready for conveyeing upone advertifment.

8th, That the report of the fubfcriptiones of the Covenant may be fent to Edinburgh from all the feveral parts of the kingdome.

9th, That the things recommendit to our former Committie be adverted to with all dilligence that may be, viz. About armes.

10th, It is thought fitt, That at the tyme of our generall meitting there be a faft.

In the end of May, ther came verie many letters from the Marquife of Hamiltone, defireing his particular friends and followers to attend him at Hadington, and a number of the nobilitie, to whom he had relatione be freindfhip or acquaintance, to meitt him at Dalkeith the 5 June ; fhoweing, he fould then make knowne that which he was confident wold give content to them, and all thefe who either loved his Majeftie or the countrey, and wherby his Majefties tender care of his countrey wold appear. They wer refolved to keep the appointment altogether at Dalkeith, till they got notice that all the Papifts in the countrey wer conveyeing all they could command ; and that fume others, who had been defigned be the biftops as men both powerfull and willing to undertake the fuppreffione of the Supplicants and of their lawfull courfe, and force them comport with all they complained on, and who had, both be word, writ, and practife, given evidence therof, befor they found fo great a number of the Supplicants joyne together, wer alfo preparing all the people they could, be letters and intreatie, to attend them ther upone the 30 May.

A ship, pertaineing to one Johne Lightone in Leith, came to the road of Leith, loaden with pouthier for cannon and musket, with cannon-ball, musket, pick, and match, and that for the Castle of Edinburgh ; which being knowne and reported be other ship-masters, that came from Londone with him, made people advert the more carefully, becaus the Bishop of St. Andrewes, before his parteing, and others his affociats, had openlie profest that the provydeing with ammunition, the victualling and manning Edinburgh castle, was the best way to force Edinburgh to obey whatsoever shoud be enjoyned, and to beat and keip out the Supplicants fra Edinburgh ; the one being thus subjected, and the other removed, they might fortifie Leith, and so certifie all Lothian to whatsoever course they wold enjoyne. The Supplicants flurring at such unusuall provisione efter such brags wer resolved to stay its entrie into the Castle, and requyre it to be sequestered untill the Commissioners comeing. But the Lord Thesaurer affirmed he was informed they intended the apprehending therof, which was his excuse that he did transport in the night by a boat the said whole ammunitione to Muffelburgh harbour, wher, in all haste and privicie, he, comeing in persone, transported the same to Dalkeith. This did not onlie move the Supplicants dilligentlie to attend the castle of Edinburgh, that no more ammunitione shoud come ther then had been customable the 30 yeirs past, considering the same to be a fort for defence and preservatiōe of the kingdome ; and therfor shoud not bein employed against the collective body of the kingdome ther present for the good and defence of religione and the countrey ; and humblie to informe, and supplicat his Majesteis Commissioner : bot this also was a motive, amongst others, of changinge their former resolutione of meitting the Commissioner ; feing the Supplicants were joyned together for religione and the liberties of the countrey, and more cleirly sequestered, both by their subscriptione and publict professione, from all malicious ploating Papists, the profest enemies of their religione, whose bigot dispositione hath made them alwayes dispence with the los of the countreys libertie or any thing else, so they might enjoy to be oversein in the practife of their unlawfull professione, and could not now join promiscuoullie with them and others

carying the name of their professione bot doubtfullie, having made certaine turnes to and fra Rome, and with others whose religion hath alwayes dependit on worldlie conveniencie; these being the crew pitched on [by] the Bishops, and many of them particularlie nominat, as able to bear doune the Supplicants and their lawfull desires with the numbers and power. Therfor these of best qualitie and understanding amongst them wer moved to forbear then that convoy of the Commissioner, least these shoud have ascryved the greatest numbers to have bein theirs, and so have heartned the Bishops falslie to confirmatione of that number as competent to suppress the Supplicants, and have used that meanes to induce the continuacione of sum externall force with these, and to engadge his Majestie against his loyall subjects heir; which wold have shaken the bands of true subjectione, love, and respect, and so ventured the hope of any expected peaceable conclusion. These incendiaries the Bishops, not daring to abyde a fair, peaceable, and carefull tryell, and endeavouring to be reponed by force to their violent government, made the Supplicants forbear the lending to these even so much as the wings of report; also to shew their resolutione of quitting that former custome to obey whatsoever was enjoyned by these in the greatest places, they wer now resolved in this busines to look only to the conveniencie and good of it, yit with so much respect to the Commissioner, his persone and his place, as that tuo noblemen and sum of the gentrie wer sent from the whole to the Commissioner, to excuse their not coming, both for the reasons forsaide and fundrie others; bot offered to attend his Grace when and wher he pleased, for receaving knowledge of his Majesties pleasure from him. These humble intreated he might come to Holyrudhouse, as the most convenient place both for him and their attendance on him; and because that at Dalkeith, ther was no meanes to accommodate these who wer to attend his Grace, neither their followers nor horses, offering that all shoud wait upon him from thence to Edinburgh. He deferred the answer till his meeting with the Counsell; and being againe invited by the noblemen and be the Toun of Edinburgh, he resolved to come, provyding that the exceeding great numbers, who, on the report of

the Papist conveyeing, had, sum upone advertisment, and sum voluntarlie, come ther, wer dissolved ; also, that all guards sould be removed from the Castle, being pleased to call their watching fo. The first was promised upone the verie next day after his coming to Holyrudhouse, which all would once stay for and desire to see ; for the second, the Earle Southesk and Lord Lorne, Counsellors, and verie affectionat to his Majesteis service and peace of the countrie, interposed themselves to give all the assurance they could that no provisiōe for hostill invasiōe sould be put in the Castle dureing the tyme of the Commissioners treaty. And indeed it had bein both a break and a great stay to all fair agreance, if, dureing the tyme of the Commissioners treating to secure the subjects, any such hostill act had bein done. So all publict watching was disused that day the Commissioner come to Edinburgh and thereafter, except onlie a watch keiped by the Toune of Edinburgh in the night tyme, for securing their own Toune, according to their custome when any great numbers are in it.

The Commissioner come to Holyrudhouse on Fryday, wher he was mett by thertie of the noblemen at the end of the Sands betuixt Leith and Musselburgh, the gentrie standing all in ranks along the sea-side till verie neir the end of the Sands, being a myll and ane half long ; and at the eastmoſt end of Leith Links ther stood above 600 ministers, by whose ranks the Commissioner paſt. They wer ready to have delyvered a short ſpeache. It was promised to be ſmooth, fair, and free of all purpoſe that might offend any ; yit the Commissioner was unwilling to hear them in that publict way ; ſo the ſame was then delayed to a more private occaſione. All along the Lincks, and in the hie way to Edinburgh, even to the Cannongait port, was covered with people on both ſides ; and at the Cannongait port ſtood the Majeſtrats of Edinburgh, to receave and welcome the Commiſſionar : The numbers on horſe and foot wer above 20,000.

The next day, many of the great numbers parted the toune, and my Lord Commissioner diſmiſſed the Papists and their followers. Although all of them were not above 300, yit wer they ane eye-ſore to the reſt at that tyme, haveing no other buſſines there but a ſeiming to appear againſt theſe

who were pleading for the truth. Many thousands were expected from the North, and many letters writ to have procured them, but they reached not to a hundred ; which disappoynted the large promise made by the Bishop of Rofs for them.

Four of the ministers went doune to the Commiffioner the next day after his coming to Holyrudhouse, and delyvered to him this following short speech :

“ Please your Grace, Our Breithren of the Ministrie had a mynd that sum few words shoud have bein spoken yisterday publictlie ; and seing your Grace choyfed rather to hear us in private nor in publict, this is that we say shortlie :

“ Wee, the Servants of the Sone of God, and preachers of that peace that passeth understanding, being sensible of that fearfull wrath of God that per-sueth this land for our sins and the sins of the people, wherthrow our Kirk is rent through schisme, the worship of God defylled by superstitione, and the whole people in a fyre, which is ready to consume all if it be not quenched, having humbled ourselves to our God as we dow, renewed our Covenant with his Majestie, and made Supplicatione to our Sovereigne, do give your Grace heartie welcome, as his Majesteis Commiffioner, and the messenger of the God of Heaven, by whose blessing your Grace may be a happie instrument for doeing one of the best works that can be done in this earth, for the honour of God, contentment of the King, good of our Kirk, peace and tranquillitie of our Kingdome, and joy of all the reformed Kirks in the world, as having power in your Graces hands to quench this fyre of divisione, and put away the causes of this combustione, purge the house of God, minister justice, and give satisfactione to grieved soules in their just supplicationes, wherby your Grace shall prove a worthie patriot, faithfull counfeller, good Christan, and a compassionat member of your mother Kirk, mourning under maniefold miseries, and shall reap the fruit of a sweit remembrance in efter ages, and a wonderfull peace and strong consolatione when it comes to the breaking of the eye-strings and giving of the last gasp. For who liveth and shall not see death, when all the pleasures and honours of

this world fall stand in no stead? And this we and our people expect at your Graces hands, and humble and heartilie crave it in His name who fall judge the quick and dead."

Sum of them also went to many of the Counsell, and delyvered copies of this advertiment; which wer courteoullie accepted, both by the Commission-er and Counsellers:

Please your Lordship,

Wee, the Ministers of the Gospell, conveined at this so necessar a tyme, do find ourselves bound to represent, as unto all, so in speciall to your Lordship, that comfortable experience we have of the blessing of God upone the reneweing our Confessione of Faith and Covenant with him, what peace and comfort hath filled the hearts of all Gods people, what resolutions and good beginnings of reformatione of maners are sensiblie perceived in all the parts of the kingdome, above any measure that ever we did find befor, how great glorie the Lord hath received thereby, and what confidence we have (if this sunshyne be not ecclipsed by sum sinfull divisione and defectione) that God fall make this ane blessed kingdome, to the contentment of the Kings Majestic and joy of all his good subjects, according as God hes promised in his word, and performed to his people in former tymes; and therfor we are forced fra our hearts both to wilh and intreat your Lordship to be partaker and promover of this joy and happines, by subscriptione of the same blessed Covenant when your Lordship fall find convenient; and in the meane tyme that your Lordship wold not be spareing in giving free testimonie to the trneth, as a tymeous and necessar expresse of your Lordships tender affectione to the cause of Christ, now calling for help at your hands. Your Lordships professione of the true religione, as it was reformed in this land, the nationall oath of this kingdome, sundrie tyme sworne and subservyed, obliſching us who now live at this tyme, the dutie of a good patriot, the office and trust of a Prive Counsellor, your present employment to have place amongst these that are first acquaint with his Majesties pleasour, the consideratione that this is the tyme of the tryell of your Lordships affectione to true religione, the respect your Lordship hath to your fame both now and heirefter, when things false recorded to posteritie, and the remembrance that not onlie the eyes of men and angells are upone your Lordships cariage, bot also that the Lord Jesus is a secret witnes now to observe, and false ane open judge heirefter to reward and to confesse everie man befor his Father that confesseth him befor men: all of these, and each of these, beside your Lordships private and particular obligatione to God, do call for no less at your Lordships hands in so great and singular necessitie; and we also do expect so much at this tyme, according as your Lordship, at the hour of death, wold be free of the terrour of God, and be refreshed with the comfortable remembrance of a word spoken in season for Jesus Christ, King of Kings and Lord of Lords.

The Supplicants choyfed four noblemen, four barrones, four burrowes, [and] tuo ministers, to go and attend his Majesties answer from the Commifioner; who coming to him 12 June, did declair they expected from his Grace ane answer to their former Supplications, Complaints, Bills, and Ar-

ticles, the same being promised by his Majesty with his Commissioner, and were now come to attend his pleasure. The Commissioner, by a discourse, shew forth his Majesties piety, justice, [and] his other virtues and personall perfectiones wherewith he was endued; his large affectione to this church and kingdome, which might make them expect a good answer, if they did not hinder it themselves by not rightlie accepting what his Majesty was graciously pleased to bestow in his owne way, which wold be by a publick Declaratione. The Supplicants shew they esteemed themselves very happye of such a good king, and wished God might remove all evill informers from his Majesty; but shew that, if his Grace did declare his Majesties answer by Proclamatione, they would be necessitate, where it was not satisfactorie to their Supplications, Complaints, Bills, and Articles, to make Protestatione for a gracious Answer to such other of their demands as were not satisfied by the said Proclamatione. The Commissioner shew the buisnes was so weightie and important, and it was fitt for him to advyse with his Majesties Counsell, and so desired their patience for sum few days.

The Supplicants, fearing that the Commissioner and Counsell might resolve presently to publish a Declaratione of his Majesties pleasure, therfor that same afternoon they sent doune these that had gone that morning, to expresse their humble desire of a Generall Assemblée and Parliament, as the best, most fitting, and onlie lawfull meanes to take order and redress all the commune grievances of the subjects. Comeing down to the Commissioner, they told that the Supplicants did acquiesce in his answer, and would wait his pleasure patiently; but thought it necessary to remember againe that which had beene alwayes their chiefe desire, even a free Generall Assemblée and Parliament, all their other desires being subaltern to these, and all their evils were onlie to be cured by them. The Commissioner shewed they might have all these, but behoved not to precipitate.

A Protestation was resolved upon by the Supplicants, in caise of any Proclamatione; which being told to the Commissioner, it was very unacceptable to him, that being an act so displeasing to his Majesty, only by misinformatione. Now, the Commissioner being myndit to intimate his

Majestie's pleasure by Declaratione, and yit unwilling to have it mett with a Protestatione, was desirous to meit with the Supplicants for moving their forbearance therof. They waiting on him the 13 June, did shew that they did find alwayes the greater necessitie of a Protestatione the more they thocht therof, and exprest to him such of these Reasons that had bein drawne be commone consent of the whole Supplicants as wer fitting for him to hear; and the whole wer showne and exprest to the Thesaurer, Privie Seall, and Lorne, who wer appointed to speak apart with the Supplicants efter they come out from the Commissioner. The copie of the Reasones followes:

1. A Protestatione is the most ordinarie, humble, and legall way for obviating any prejudice may redound to any legall act, and of preserving our right, permitted to the meanest subjects in the highest Courts of Assemblie and Parliament, whensoever they are not fully heard, or, being heard, are grieved by any iniquitie in the sentence; which is grounded on the law of nature and nations, that it is the perpetuall custome of this kingdome, even upon this reason, to protest, as it wer in favour of all persons interested, and not heard by any expresse Act *salvo jure cujuslibet*, even against all Acts of Parliament.

2. Our not Protesting now is a condemning that legall course used by our predecessors, both in Assemblies and Parliament, against the beginning of this defectione, and used by ourselves against former Proclamations.

3. It is a flyding from our Testimonie, and a reall relinquishing of the cause, giving just occasion of discouragement unto all, especiallie to the weaker sort; whereas, on the contrair, experience shewed us that many were encouraged by our former Protesting.

4. It is a tacite consent, and a token of our satisfactione with what is declared of our passing from the rest, and of our resting content with that maner of granting by Proclamatione any of our desires, and a quytting of the onlie sufficient remedies, &c.—ane Assemblie and Parliament.

5. Our Protesting together is a renewing our Confessione of Faith before God, and of our band of inviolable unione and conjunctione amongst ourselves, which we are bound by all lawfull means, and so by this, to promote and to obviate all motiones of divisione, which is mainly intendit by the offers and threats of this Proclamatione; is a dutifull forwarning the King and his Commissioner of our desires, and the lawfull remedies therof, the benefites of granting them, and evill consequences of refusing them; is a sensible exoneratione of us before forraigne nations; is a legall introductione of our lawfull defences *cum moderamine inculpate tutelae*, and the most necessar peface to our subsequent Declaratione in case of extreame necessitie.

6. It is a publick thanking of the Kings Majestie for his publick favour in points granted, and is the more legall way in this great exigence, when we have declined the Counsell, and are not satisfied with the declaratione of his will from the Commissioner, to preserve our recourse and immediate addressie to his Majestie himself by new Supplications and Remonstrances.

The Commissioner prested to persuaide the Protestatione to be neidles;

that it wold so irritate the King, they wold be able to do no more good ; that it were fitteft to trust him and these principall officers, who wold pand their lyff for a Generall Affembly and Parliament, if they wold not, by the Protestatione and such other wayes, hinder the same. The Commiffioner shew his interest to doe for this country, haveing his fortune only here, and nothing any wher else ; his dignitie was here, himfelfe and children behoved to be Scotfmen, which did obliſh his care of this country ; that he hath ever given evidence of his love to their religione. He was answered with the eminencie and greatnes of the buſſines, requireing they ſould omit nothing that was neidfull in law ; but for Reaſones, as they had ſhowne, the Protestatione was abſolutlie neceſſarie. He told, his Majeſtie, being provoked, wold undo this Nation with armies be ſea and land. He was answered, ther ſould be no cauſe given, and ſo it could not be expected from his Majeſteis goodnes and juſtice. Much was ſaid that a Protestatione was ane uſuall, humble, and lawfull act ; and nothing answered bot his Majeſteis miſtakeing of it. It was alſo told Theſaurer, Privie Seall, and Lorne, that to omitt a publict neceſſar Act upone perſonall promiſes had done evill even in their owne tymes ; instanceing that the late Marquiſe of Hamiltone, at Parliament 1620, being the Kings Commiſſioner, promiſed that the Five Articles of Pearth ſould never be preſſed upon the ſubjects ; which procured many conſents then, bot was badlie performed. Nothing could content the ſubjects bot that the Declaratione ſould containe the preſent indictione of a Generall Affembly and Parliament to a certaine prefixed day ; as alſo, that the ſaid Declaratione ſould not diſapprove their lawfull proceidings, againſt the which they wold ever proteſt.

Upone the 14 June, the Proclamatione being expected, the gentrie was all about the Croce waiting the ſame. Bot the Commiſſioner was diſſuadit from makeing any Proclamatione, or comeing to the Croce in perſone, as he ſeimed once reſolved, till his Majeſtie ſould be advertiſed and informed rightlie of the nature of a Protestatione, that he might not take exceptiones therat.

On the 15 June, it was thoght fitt by the Supplicants to renue their de-

fires of a Generall Assemblie and Parliament be a short Supplicatione, which was answerable drawne, of the tenour following :

Pleafe your Grace,

OUR many iust grievances, presented be Supplicatione, Bill, and Articles to our Sacred Sovereigne, being remitted to your Grace, his Majesties Commiſſioner, for remeading the same, hath moved us this tyme past to wait on you for the declaratione of his Majesties pleafour. Bot we have bein continued to such tyme as your Grace shoulde conveye the Lords of his Majesties Counsell, which hath made us now, efter that meeting, and upone your promise of dispatch (our present conditione not to have so dangerous by report as fearfull to behold, and consider extreamele needfull the same) humblie to make a new presentatione of our former desires for a frie Generall Assemblie and Parliament, as the onlie meanes that can redrefs the great disorders of this kirk and state, daylie growing worfe be delay, and restore the puritie of Gods service, preserve the perfectione of his Majesties obedience, establish the peace of kirk and kingdome, and procure a great deall of respect to your Grace from us all, who are his Majesties faithfull sub-jects and most humble Supplicants. And your Graces answer.

There being 12 or 14 of the Supplicants sent doune 16 June, [they] shew the Commiſſioner, that having expected ane answer of all Supplicationes, Complaints, &c. by his Grace, and having waited on him at his first coming, they had bein delayed till his Graces meeting with the Counsell ; and having now againe expected his answer sum dayes, they had resolved to present this Supplicatione to his Grace ; which he receiving and reading, shew the desires therof wer sum way new to him, containeing General Assemblie and Parliament, not contained in any of the Supplications presented to his Majestie. These wer shewne to be contained in the former Supplicationes, under the name of the Lawfull Judicatories of this kirk and kingdome, and expressely mentioned in these Articles sent to his Grace, the Duke, and Earl of Morton. They wer not particularized in the first, becaus a Counsell was also a Judicatorie that might lawfullie judge in sum things complained on ; bot since the Counsell had refused their Declinatour, they had particularised these onlie as Lawfull Judicatories for redressing their grievances. The Commiſſioner acknowledged the King had once red over their Articles, and promised to give answer to the Supplicants within tuo dayes.

On the 17 June, they returning to get answer, the Commiſſioner shew he believed his Majestie intendit to grant a Generall Assemblie and Parlia-

ment ; bot he believed, during the present disturbance, it was ane unfitt tyme. The Supplicants shew, that they knew no disturbance except the men, being desirous of a Generall Assemblie and Parliament, their great earnestnes made them attend constantlie till they sould obtaine the same ; and they wold never leave to meit and use all lawfull means for obtaineing them. The Commiſſioner objected that men wer forced to subſcryve the Confeſſione. It was answered, men wer desired, bot they wold not admit ane unwilling, let be a forced hand. The Commiſſioner objected againſt that claufe of mutuall defence contained in the Covenant. The ſame was cleared by the plainneſs of the words of the Covenant itſelfe, and by the ſinceritie of their purpoſe, who onlie intendit, firſt, the defence of the religione preſentlie profeſt ; nixt, of his Maſteis perſone and authoritie ; and laſt-ly, to defend each other in the defence of the ſaid religione, and of his Maſteis perſone and authoritie. His Grace was desired to propoſe his doubts in writ, which might be the more particularlie answered for his Maſteis ſight and informatione.

Upone Wedneſday, 20 June, they comeing downe expecting to receive the Commiſſioners doubts in writ, he proponed the reſcinding of the whole Covenant, as a meane to get them all their deſires, without which his Maſtie wold never get them contented. They ſhew that was aluterlie impoſſible, and cleared it wold be groſs perjurie in them, and ſo could not bot be grievous to his Maſtie to have ſuch a pack of perjured ſubjects ; and ſaid, they wiſhed his Maſteis ſubjects in England and Irland had ſubſcryved the like Covenant ; it wold be much to his Maſteis advantage, and a greater tye of their fidelitie. The Commiſſioner haveing many preſent buſſines, it was thoght moſt fitt that he ſould, at his beſt leaſure, communicat his exceptiones at the Covenant to Hadintone, Southeſk, and Lorn, who ſould meet with the Supplicants, and delate the ſame to them, who promiſed to give ſatiſfactione therto. Reaſones againſt the reſcinding of the Covenant was put in print, upone furniſhes that the cancelling of it wold be requyred. The Reaſones being printed neids not be ſett downe heir. Many of the Supplicants wer at firſt unwilling to give explanatione of the

Covenant, since nothing could be more cleer than the words of the Confessione itself, and fearing some hid[den] ends ; bot did resolve to cleer the religious and loyall meaning by explanatione, seing it was thoght necessar for his Majesteis satisfactiōe ; and, therfor, by diverse meittings, both amongst themselves and sum of them with these thrie Counsellers, did agree upone this following explanatione be way of Supplicatione.

THAT wheras we, expecting from your Grace, as his Majesteis Commiſſioner, a gracious answer of our former Supplicationes, Complaints, and just desires, have presented to your Grace a humble Petitione, craving a free Generall Asſembly and Parliament, as the ordinar remedie of our grievances, and the onlie meane to put this kirk and kingdome to quyetness, it pleased your Grace to shew that his Majestie, from his princelie care of this kirk and kingdome, wold be most willing to indict a free Generall Asſembly, and call a Parliament for these good ends, bot that your Grace, his Majesteis Commiſſioner, hath conceived the Confessione of Faith and Covenant, lately renued by us his Majesteis subjects, to be an unlawfull combinatione against authoritie, thereby to cast off our dutifull obedience, and not a Covenant for maintaineing of true religione, of his Majesteis person and authoritie, and of the lawes and liberties of the kingdome ; and we being most willing to remove that, as the main hinderance of obtaineing our desires ; Therfor, and for clearing our loyaltie and vindicating of ourselves from so great imputatione, we do now, in all humilitie, remonstrate to your Grace, as his Majesteis Commiſſioner, and declair before God and man, that we ar heartilie grieved and sorry that any good man, bot most of all that our dread Sovereigne, shold so conceive of our doeing, and that we were, and still ar, so far from any thought of withdrawing ourselves from our dutifull subjectione and obedience to his Majesteis governement, which, by the descent and under the reigne of 107 Kings, is most cheirfullie acknowledged by us and our predeceſſours, that we never had nor have any intentione or desire to attempt any thing that may turn to the dishonour of God or diminutione of the Kings greatnes and authoritie ; bot, on the contrair, we acknowledging our quyetnes, stabilitie, and happines, to depend upon the safetie of the Kings Majestie, as upone Gods Vicegerent sett over us for maintaineance of religione and administratione of justice, have solemnlie sworne not onlie our mutuall concurrence and assistance for the cause of religione, bot also to the utmost of our power, with our meanes and lyes, to stand to the defence of our dread Sovereigne the Kings Majestie, his person and authoritie, in the preservatione and defence of the true religione, liberties, and lawes of the kingdome ; and therfor we, his Majesteis loyall subjects, free from that and all other imputationes of that kind, most humble beseech your Grace to esteime our Confessione of Faith and Covenant to have been intendit and to be the largest testimonie of our fidelitie to God and loyaltie to our King ; and that hinderance being removed, must still supplicate that your Grace wold be pleased to indict a free Generall Asſembly and Parliament, which will undoubtedlie redress our evils, and settle the peace of this kirk and kingdome, and procure that cheerfulness of obedience which ought to be rendered to his Majestie, carrying with it the offer of our fortunes, and best endeavours for his Majesteis honour and happines, as a real testimonie of our thankfulness and heartie prayers to God that his Majestie may long and happilie reigne over us.

The Confessione of Faith being subscryved the beginning of March, great exceptions wer taken at the doing therof by all the Prelats, who had ruled this church not be lawes constitute be Nationall Assemblies or Parliaments bot at their pleasour, and be sum of the Civile Governours accustomed these many yeirs past to interpose their authoritie for the actiones of these churchmen without any warrand of our law. Both wer grieved to find the cours of blind obedience interrupted, and the subjects now [led] to examine and consider what they wer urged to obey, and not to render such unlimited respect as they wer wont to these that wer sett in publict places, how unfitt soever, either by their conditione or want of qualificatione. They thought that ther was neither any particular warrand from his Majestie nor the Lords of Secret Counsell, neither from the Bishops, for renewing and subscryveing the said Confessione; and did not consider that the Supplicants wer necessitate therto when they found both the doctrine and discipline of the church changed by the Book of Canons and Service-book, and these both composed and imposed upon the liedges at the pleasour of a few of these 14 Bishops, whose lyfe, doctrine, and professione for sum yeirs before was consonant to the errours contained in these books. And the many Supplications to his Majestie against the said Books and framers therof, received no better satisfactione then that Proclamatione at Stirling and Edinburgh the end of February, approving these Books as framed by his Majesties command, revised and allowed by him as readie meanes to maintaine true religion, and beat out superstitione and idolatrie, condemning the Supplicants their lawfull proceedings in tyme past and necessar meittings in tyme coming.

The Supplicants, seing his Majestie so abused as to be moved to approve these Books, that wer contrair to Gods truth and the forme of worship established in this land, and to questione their loyaltie to his Majestie, wer

forced to have recourse to that former Confessione of Faith and National Covenant of this church and kingdome, (the breach wherof was clearlie the speciall cause that had broght these ills upone them,) haveing examples in Gods word wher his people had done so upone the lyke occasione. The said Confessione was appointed by many Acts of Secret Counciell, Nationall Assemblie, and Conventione of the Estates, and was in continuall practife. It was subscriyved by King James his Majestie, and his household ; and all the subjects wer appointed by the Proclamatiōe to subscriyve it, and these reputed wilfull contemnners of God and the lawes that refused the same. The rectors of colledges have made their schollers subscriyve it ever since ; and many judges and burgeses did also subscriyve it at their admiffiōe. All these ordinances standing still in force, and the practife still continued, did warrand the subscriyving of it ; and it selfe condemning superstitione and idolatrie, and carying a large declaratiōe of loyaltie to his Majestie, was the most readie warrandable publick meane to keep all his Majesties good subjects from the intendit trap of superstitione, and to cleir their loyaltie to his Majestie, who wer urtherwayes barred from access. It doeth also oblige the subscriyvers to amendement of lyfe, and forbearing all these grievous sins growne commone for the want both of reproofe and correctione, becaus discipline was now so weakned in the hands both of fessiones, of paroshines, and presbitries, (the power of both being usurped by the Bishops, who wer full of indulgences, which wer attainable many wayes,) as that their voluntarie renueing of their Covenant with God seimed then, and hath proved since, the most readie meane to remead that evill, till the power of discipline should be restored to this church.

Ther wer four speciall objections made commonlie against the subscriyving, which wer satisfied. The copie both of objections and answers efter followes.—*See page 90 to 92.*

The Supplicants, being now barred any further dealling with the Counciell who wold not admitt their Declinatour against the Bishops their parties bot wold have them sit as their judges, wer forced to bethink another way of addresssing their Supplications to his Majestie, and that either by send-

ing one immediatlie to his Majestie from themselves, or be interposeing sum of the most speciall of the Scots Counsell in England, to try whither his Majestie wold be better content to receive a Supplication from them, or be the mediatiōne of these Counsellers. Whereupon they writ this following letter, subscryved by a number of noblemen in name of the rest, directed to the Duke of Lennox, Marquise of Hamiltone, and Earle of Mortone, the 8 March.—*See page 83.*

They also sent a Supplication to his Majestie inclosed, with warrand to the carier delyver to the same, if his Majestie shoud declar his willingnes to accept it, speciall trust being committed to the Earl of Haddintone be all the Supplicants both to see the letters delyvered, and to receive notice if his Majestie wer content to receive the Supplicatione, and answerable to dispose of it, either be delyvering or returneing the same back inclosed and stamped as it was.

The Justice-Clerk was sent from Stirling, the 5 March, from the Counsell, with instructiones to his Majestie, shewing how they had appoynted a solemne meitting of Counsell at Stirling by commone consent; how the clergie had broken the appointment, all except the Bishop of Breichen, who also absented himselfe the last day befor their conclusiones. They shew his Majestie sum reafones of the present combustiones in the countrie, the fear of innovatiōne of religione, occasioned by the Service-book, Canons, and High Commiffione; desired his Majestie take tryell of the subjects grievance in his owne way, and that he wold consult his Counsell, and know their myndes, be calling up sum of their number, who might be heard befor himselfe, with sum of their informers, if any wold suggest against that course the Counsell had conceived to be best for his Majesteis service and peace of this kingdom.

About the 26 of March, the Justice-Clerk returneing, my Lords Thesaurer, Privie Seall, and Lorne was sent for be his Majestie to come to England, to whom the Supplicants presented most earnest desires that they wold give his Majestie right informatione of the state of buffines, and lay the blame of all the present evils on these who trulie deserved it. Sum of the

Bishops wer gone to Ingland befor, as Rofs, who stole away disflagnified, and Brichen followeing efter. The Chancellour and Galloway went about the end of March.

A little befor this tyme, the Supplicants, finding the necessitie of certaine necessar depurfements, unfit to be borne be a few, being for the commone use, had resolved, that in ilk shire six or eight might try the benevolence of everie one who wold willinglie contribute to that publick buffines, requiring them to pres none, but restraine these who wer inclyned to exceed a doller for 1000 merk of free rent at most; which course was far from the presumption of laying taxes on the subjects, as their adversaries reported.

At that tyme, upone the earnest desire of sum from the North, the Earle of Southerland, Lord Lovate, and Maister of Beridale, Laird of Innes, with some ministers and lawyers, wer desired [to try] who in Rofs, Murray, and about Innernes, wold subscryve the Confessione. These, with the Lord Rae, employed their paines so successfullie, as the greatest part of all forts benorth Spey subscryved the same most willinglie.

About the 16 of Apryll, ane answer of the Letters written to the Duke, Marquise, and Earl of Mortone, was returned, with the Supplicatione to his Majestie, still stamped and never sturred. It was desired to be first sein before the presenting of it to his Majestie; which being denyed, because of the Supplicants directione of keiping it up, except it had bein absolutlie received by his Majestie, and of presenting in case it had bein desired, they advoweing it humble and respectfull as becometh, and that upon their perrills. The letter was answered by three severallie, from the Duke to Rothies, from the Marquise to Montrose, from Morton to Calsles, all of the tenour following.—*See page 98.*

The Supplicants, conceaving by these letters that his Majestie had no mynd to receive Supplicationes, except the mater and forme wer prescryved, and had found befor be the Statesmen that all complaints against Bishops behoved to be removed befor it could give content; finding also that they had disjoyned the answer of their letter, to learn them the way of disjoyneing their Supplicationes, so much dealt for be the Statesmen,

resolved to returne ane answer be another letter, subfcrived be Rothcs, Montrose, and Cafsles in name and at the directione of the rest, the tenour wherof followes.—*See page 99.*

And because these Noblemen in their letters shew his Majestie wold yit further declare himself, the Supplicants thocht it fitt to send sum informatione to the Lords to be showne to his Majestie, under the name of Articles for the present Peace of the Kirk and Kingdome of Scotland, that so his Majestie, knowing their iust desires and reafones therof, might accomodate his gracious resolutions and declarationes therto. The tenour of these Articles followes.—*See page 96.*

At a former frequent meiting, the Supplicants, haveing together gravelie considered all their grievances, had agreed on eight Articles, which they thocht was the least that could be requyred for settling a solid peace in this church and kingdome. These sent now to England wer drawne out of them in smooother expressions, bot much about one tenour. The Letter and Articles wer sent together about the beginning of May. The answer was returned be word, and sum letters from private freinds, shewing that his Majestie had alreadie shewed his mynd to the Marquise of Hamiltone, whom his Majestie had appointed to be his Commissioner in settling peaceable the grievances of the kingdome of Scotland.

After the Bishops wer declined, the Supplicants could in no case acknowledge them their judges till they were tried befor the judge competent for the crimes laid to their charge; which made the Supplicants, for the supplie of the present necessitie of sum churches, to crave ordinatione from the Presbitries, (within the bounds wherof churches lay,) and the Presbitries to give ordinatione to the persones for whom they wer petitioned by particular congregations, having tried them and found them qualified. And heirin they proceedit advysedlie, and upon verrie good grounds; for it is so cleer, by the Word of God, that the power of ordinatione belongs to the Presbitrie, that it is not onlie acknowledged by the foundest Divynes of the reformed churches abroad, and the Generall Assemblies of this church at home; bot also it is declared by the King and Three Estates, Act 114,

Parl. 12, K. James VI. 1592, That the collatione of minifters by the fpeciall warrant of Gods Word is given to the fpeciall office-bearers in the kirk of God. This divyne right, acknowledged by the Acts of kirk and kingdome, as it ſould not be taken away by any humane power, ſo it hath not bein taken away directlie by any Act of Parliament whatſomever ſince that time. As for Act I, Parl. 21, James VI. 1612, ther is no poſitive claufe therein conferring the power of ordinatione on Biſhops, nor privative claufe taking away from Preſbitries their divyne right of ordinatione and collatione of minifters; bot all the claufes therof are conceived and expreſt anent preſentatione to benefices, and admiſſione of benefices; nothing there of ordinatione, admiſſione to, or collatione of, the office or functione of the miniftrie as belonging to Biſhops. Moreover, this Act is groundit upon ane remitt made (Act 231, Parl. 15, James VI. 1597,) to the Kings advyſeing and agreement with a Generall Aſſemblic anent the ſpirituell policie of minifters provydit be Biſhopricks, wherein there is expreſſe proviſione that this ſhall not be in prejudice of the iuriſdictione and diſcipline of the church, permitted by Act of Parliament, in any time befor, to all Generall and Provin-ciall Aſſemblies, Preſbitries, and Kirk-ſeſſions. And it is certaine that the power of ordinatione is declared by divyne right to belong to the Preſbitrie in Parl. 12, Act 114, James VI. 1592; therfor, this act referring to that remit doth not prejudice the Preſbitrie of their divyne right of the collatione of minifters.

That which ſould follow immediatlie efter this begines upon the 112 page, at the words “ In the end of May,” and goes on till ye come to the 116 page, at the words “ made by the Biſhop of Roſs for them.”

The Supplicants reſolved not to meit the Marquiſe, for the Reaſons following drawne up by Mr. Archibald Johnſtone and Mr. David Calderwood, and approved by common conſent :

SUCH Noblemen as are not joynd in Covenant with us, whether they favour our cause or not, are not to be attendit at this tyme.

Papists, because they are adversaries to the true religion, and lye in wait continuallie for the overthrow of our reformed kirk when they can find opportunitie, in other causes they wold not concur; but divyde, as particularities fall move them. The chiefe incendiaries, our pretendit Prelats, have dealt with evrie one particularlie, and have induced them to their assilance, no doubt upone assurance either of toleratione to them and their adherents, or rather, which is more probable, that their owne course tendeth to the reducinge of their religion. They themselves bragge that they are able to make a great partie; and who can think otherwayes, when they fall see them have so many followers? Sum of them alreadie are entrusted with keeping one of the greatest strengths within the countrey; some of their fathers have been forfaitured for conspyring to bring in the Spaniard upone us. They have been cairfull of late to provyde great store of armes. Our Statefmen have alreadie declaired themselves partie by their proceedings in Counsell, and publick Proclamations at Mercat croces, and at this present hath warned so many as they hope to command or perswade to attend upone them.

The Kings Commisshoner hath sent a great number of missives, requiring attendance at this solemne tyme, which he did not before; and wold not have done now for avoyding of jealousie and suspitione of popularitie, if he had not had directione for countenancing of his commisshoner, and striking of terror in the hearts of such as have covenanted for the defence of religion and redreffe of abuses in the kirk.

Others that lye as neutralls shold not be attendit till they declaire themselves. Such as perhaps favour the cause, but have not joynd with the subscryvers, shold not be followed till they joyne in actione als well as in affectione; and if they favour, they will be content not to be followed.

If the Commisshoner, Statefmen, Papists, neutralls false attendit at this tyme by such as have Covenanted or favour the cause, may not the Prelats glorie in their misinformatione, that the Covenanters and such as favour their cause are scarce a considerable part of the subjects within the kingdome? Shall not the Commisshoner, Statefmen, and Prelats be heartened to go forward in their course? Shall not the people be discouraged, when, in such a confusion and mixture of attendance, they cannot discern whether the number of the Supplicants and Covenanters be smaller or greater then of these who stand out, or are opposite, whether it be the bodie of the countrey, sum few Papists and atheists excepted, that have joynd together in Covenant or Supplications, or not?

But are we not bound to attend upone our friends, will some say? I answer, Not at this tyme, seeing their attendance is so prejudicial to the cause. Our band to the cause is farr to be preferred before any civile or naturall tie to any Noblemen whatsoever.

But yitt ye will perhaps alleadge, We may attend on the Kings Commisshoner till it be sein what is his aime. I answer, In all doubtfull cases, we shold take the surest course. We shold rather forbear till we see a happie conclusion. There is no danger to the cause in forbearing; there is danger in attending: for so men expose themselves to tentations, by allurements or persuasions on the one side, [or terrors or minassings on the other side; next minassings,] their forbearance afterwards will be more offensive, either to him or to any other, then at the first, and be better accepted if they be sufficientlie informed upon what grounds.

To be short: If he or any other favour the cause, they will be content of forbearance, that

they may be exonered, having done all the service they can; if not, they are not worthie of attendance, but to be holden as partie. Sum of them protested their owne domesticities wold not countenance them in a course against this cause; and fall they now have such numbers to attend them? We have promised, in the Covenant, that we fall not cast in any lett or impediment that may stay or hinder any such resolutions as by commone consent fall be found to conduce for so good ends, to witt, that we fall neither directlie nor indirectlie suffer ourselves to be divydit. This attendance, therfor, cannot be given without commone consent and resolutions.

The furnishing of Dalkeith with munitione, &c. and rumours continually running of guards of Musselburgh and Fisherraw men, and from the South, of preparing the draw-bridge of Dalkeith for drawing up and letting downe, made them resolve not to go furth to Dalkeith, and desire the Toun of Edinburgh to make the toun sure for them, since Dalkeith was fortifieing on the other side. The Toun Counsell took it to advysement, and sent their Commissioner to the Noblemen, Robert Fleeming, balzie, who related, That the toun was divydit in eight parts; that there was a companie in everie part, and tuo companies beside, made up of the young men in everie part; and that they had resolved ilk night one companie shold be on the watch, together with the young men of that part, which in all wold draw neir 300 men. Of the gentrie, 20 watched day and night at the Castle gate, and 80 at the West Port for keiping the posterne.

Upone Fryday, 1 June, at night, my Lord Lyndsay and Mr. Borthwick wer directed to go furth and meet the Marquise, and make excuse for the Supplicants that they wer not to come and meit him; that the course the Supplicants took in resolving not to meit him was fairest for his credit, however things succedit. If all wer settled, it wold take the deiper impression in the Kings heart of his dilligence and dexterousnes in compassing a busines that seemed so difficult in the verrie entrie; if otherwayes, he might have the greater ground of cleiring himself. They mett with him at Berwick, and returned to Edinburgh the 4th of June. They earnestlie desired the haill Supplicants to change their resolution, and meit the Marquise. It was debated amongst the Noblemen, and thocht inconvenient by the most for the former reasons; and even by these, who, if the busines had been inteir, wold have condiscendit. It was thocht unfitt, becaus the change of

their former resolutione wold weaken the willingnes of people to follow the determinations made by commone consent, wherupon dependit their obedience, and not upon any authoritie the Supplicants had over them. It was considered, therfor, what was nixt to be done; and resolved, that my Lords Lindsay, Londone, and six barrones, viz. Auldbarr, Wauchton, Sherrefe of Tiviotdale, Sir Patrick Hamiltone of Little Prestone, Lamintone, and Robert Hamiltone, shuld ride out the nixt day; the lords everie one with ten in companie, and the barons with everie one tuo; that these shuld make excuse for the whole, according to the reasons before sett down. It was long agitate amongst the Noblemen, whither they shuld go furth to Dalkeith to the Marquise, seeing the Castle ther was furnished with munitione, &c.; and the goeing was concludit amongst them. Yit the gentrie wold not upone any tearmes yield that the nobleman shuld go to a place suspect; therfor it was resolved, that the Noblemen direct to the Marquise shuld desire his incomeing to Holyrudhouse, and to apologise their not comeing to meit him, according to the reasons.

And for receaving his Lordships direction anent his Majesties pleafour, the noblemen and gentlemen to whom his Lordship had written, and all the rest of that number in Edinburgh that are Supplicants, will attend his Lordship wher he pleafeth in any place convenient; and if he propone Dalkeith, to declare the fears conceived upone the provisions of powder and such other ammunitione carried to Dalkeith; and therfor that his Lordship wold be pleased to make choise of sum other pairt. And if his Lordship wold be so favourable as to come to Halyrudhouse, being the most convenient place, and wher he might be attendit with greatest ease and frequence, the whole Noblemen and others wold come to Dalkeith and attend him; for by all appearance, if his Lordship shuld stay at Dalkeith, as it wold be incommodious for the Petitioners, so wold it make the busines fashious and longsome; since everie motion fra his Lordship will require them to go to Edinburgh, because they did all matters by commone consent; and it wold be hurtfull to the cornes, they wanting stabling and all meanes of refreshment, either for them or horse.

sum muskets to one of the Earl of Rothes' gentlemen, &c. They desired the towne of Leith to keip watch by turnes, three or four at once, and take notice of all the ships that come into the Road or harborie, what loaden- ing they have; and if any powder, armes, and other ammunitiōne, the watches to impart the same to the Noblemen and Commiſſioners that are in towne.

It was motioned, that the Lords of Seſſione might be tryed with ſubſcriptione of the Confeſſione; which was continued till the nixt day that they wer privatelie tryed. And becauſe they heard of a purpoſe to tranſport the Sword, Scepter, and Crowne to the Caſtle, and to bring with it ſum powder, muſket, and match, it was reſolved, the gentrie ſould appoint tuo of their number to attend at the Netherbow; and, finding any ſuch ammunitiōne, to give warning to the noblemen and gentlemen in toun, that they might give all reſpect to the Crowne, &c. and ſtay the powder and ammunitiōne.

It was thought fitt, that the Commiſſioner ſould be entreated, that whether the Supplicants waited on his Lordſhip at Halyrudhouſe or Dalkeith, he wold be pleaſed command all the Papifts to their own homes, for eſchewing all occaſione of miſchiefe betuixt them and the Supplicants, they have- ing, by their inſolencie committed on ſum of the Supplicants, provoked them juſtlie.

The burrowes of ilk ſhire wer appoynted to joyne with the gentlemen of that ſhire in watching nightlie about the Caſtle, bot befor the ſame was performed the watch was broken up. That ſame day the Noblemen directed to the Marquiſe returned, and reported that the Marquiſe was much offendit that they had not mett him; that they had not wronged him as a nobleman, for he could eaſilie borne with it from the leaſt of them all, bot as Commiſſioner fra the King, to whom they owed a greater reſpect; that they had made ane apologie, according to their inſtructiones, and had affirmed, if his Lordſhip wold be pleaſed to come to Halyrudhouſe, they ſould meit him, and give him ſufficient teſtimonie of their reſpect to him; that he had answered, ſince they had cut off the way of communicating with

them the directiones he had from his Majestie, he knew not what to doe nixt, till he spoke with the Counsell and advyſe with them the nixt day.

Upon Wednesday, 6 June, it was thought fitt, that the Commiſſioners of Edinburgh ſould go furth to the Marquiſe, and repreſent the humble ſervice of the burgh, and their grieve to find him abſent from that place, wher they might wait convenientlie on his Lordſhip ; humbly to entreat his Lordſhip to reſolve his coming hither, ſeing it is earneſtly deſired by the Noblemen and gentry as the only meane to make a ſpeedie and ſucceſſfull diſpatch ; and if he expoſtulate with them anent his Majeſteis diſcontent at their proceedings, to answer in generall, that if they have given any diſcontent, it hath been farr from their reſolutione, and they are hopefull that his Lordſhip ſhall receive ſatisfactione from the Town Counsell, to whom only pertaines the doing thereof, and are confident, that both for the time paſt, and for the time coming, they ſhall give his Lordſhip contentment.

For keeping of order, it was appoynted that we ſhall continually choiſe one of our number to be Preſident ; that all motiones ſhalbe firſt proponed and tabled befor any be handled ; that no motione ſhalbe proponed by any, nor answer given to any motione, without the proponer and answerer crave and obtaine leave of the Preſident, and that to eſchew the ſpeaking of many at once.

General Leſlie, on the 5 June, having waited on the Commiſſioner from Ledintone to Dalkeith, was earneſtly intreated by him to deſire the Earl of Rothes to come out to Dalkeith, that he might ſpeak privatly with him the nixt day. Rothes did communicate the ſame to the reſt on Wednesday, and was ſomewhat unwilling of himſelfe to goe ; but was preſt by the common conſent of the Table to obey the Commiſſioners deſire ; and was required to crave an answer of that demand was made the preceeding day by Lindſay and Loudon anent the Commiſſioners coming to Halyrudhouſe. Rothes coming to Dalkeith, waited till the Commiſſioner roſe from Counſell. The Counſellers hearing of Rothes his coming, ſum of them were affrayed that he had broght with him ane copie of the Confeſſione of Faith, with a deſire to them to ſubſcryve it, wherof they had been informed. The

Commiffioner coming from the Counfell with the Counfellers, took Rothés by the hand in his dining-room at Dalkeith, wher the Bifhop of St. Andrewes goeing before, and all the reft of the Counfellers followeing, approached towards Rothés, who pafte hard by him, and wold not take him by the hand befor all the companie. Within a little while, Rothés was called in to the bed-chamber by the Juftice-Clerk, and the doore being clofed, he alone ftayed ther with the Commiffioner for the fpace of two hours befor any come at them. My Lord Commiffioner told how unwilling he was to undergo this buffines, and did efchew fo long as he could ; that he did now repent he had taken it upone him, wifhing God he had lofed his lyfe when he undertook it, rather then he fould not be able to do fume good in it ; and fhew, he had never taken fo much paines upone any thing, nor wifhed any thing fo weill, yea, valued it more then all he had in the world, or could expect ; [and] how much it concerned him to endeavour the libertie of religione, which he fo much valued, and of this natione, having all his eftate here, and nothing in England, faveing a houfe and few aikers of ground, which he had purchafed immediatlie befor his way-coming for keiping of his children, which, being young, were not able yet to be tranfported ; fpoke much to the commendatione of Rothés, as being much wifer and difcreeter then any of the reft, and one who had given evident proof of his temperate difpofitione in the cariage of this buffines, and who had great power with the reft of the Nobilitie, &c. ; befoght that they might be temperate, and not crave thefe things which the King could not in honour grant. He believed he had [granted that] which might juftlie give fatisfactione ; which accepted, might eftabliſhe religione, and make us the moft glorious natione under heaven for fuch ane Act. But if we fould be fo foolifh, becaufe we had now gotten together a number of our opinione, as to think to give lawes to the King, we fould find ourſelves deceived : for wher now our caufe was pitied, as people who fuffered, and who wer feiking bot to be repaired ; if we fould require the King to doe that which is againft ftanding lawes, and, as it were, force him to do againft his mynd, and to the prejudice of his honour, our dealing wold be made known to the world. And

wher England now pitieth us, thinking we get wrong, as he believeth, few or none wold rise with the King, if he wer to come and force us ; so, if they shall understand what injurie he receaveth, none wold refuse to accompanie him, and he wold come in person, with 40,000 out of England, besides his forces by sea and out of Irland, to force us to our dutie ; so sould we be the most miserable natione in the world ; and if this come to pass, he doubted if ever he shall see peace in this kingdome againe. Rothes answered, For his abilitie, he knew none in his opinione of so good affectione, nor that had more trust ; so that if he wer not able to do good in this buisnes, he knew not how ever any good sould be done in it ; and he hoped his Lordships love to religione and interest in the kingdome wold mak him carefull for the libertie of both : for his own part, he acknowledged his own weaknes and how farr short he was of these abilities his Lordship conceived to be in him ; and for his power with the rest, his former moderacion had much abridged it, none being able to intertain power with them who spoke not to their mynds ; and that they conceived him to be trustfull and too moderate ; that he had a firme resolutione to goe als farr in giving his Majestie content as could be without prejudice to the buisnes ; but he behoved to pardone him, for a world wold not move him to do any thing to prejudice the fame. The Commiffioner said, Neither wold he desire him ; for he wold not walk in the way of many, to seduce, divide, or offer moneyes. Rothes replied, For him a groat and the kingdome of Irland wer alyke in that mater ; that he neidit not neither to use threatnings, for he believed that conscience would move them give all contentment to the Kings Majestie which they ought, and that the sense of dutie wold obliſh men more then any other respect. The higheſt of their desires was to have religione so established, as men might not alter it at their pleasure hereafter as they had done heretofore, and to enjoy the libertie of the lawes of the kingdome ; and if either of these was not obtained, they wold not be affrayed with the terror of threatnings ; that they hoped his Majestie wold not take such courses, and that they wold not suffer him, who had credit with him, and were intrusted by him ; that they sould offer that which was reasonable, and so not

spoile their cause and case still to be pitied ; that if his Majestie should raise England against them they would be forced to manifest to them and all the world how great injuries they had received, and how much it concerned themselves to be freed of that heaveie yoke of bondage which lay upon their own kirks, and use all means for their liberatione, being thus oppressed. The Commissioner replied, That would deceive us. He told how they had caluminate him to his Majestie, and had affirmed he had been already taxed of treason against his Majestie, and when that was suppressed, that he had now gotten himself in a commission to Scotland, upon a mynd to be made King ther ; or if they affected a free state, like that of Holland, to be made their Generall, as the Prince of Orange of the Hollanders ; that his Majestie, out of his goodnes, did not believe it, and he protested he was so much bound to his Majestie as ever one man could be to another, for raising his fortunes and not believing the calumnies ; that he had raised his affectione towards him to the highest degree. He spoke also much to the commendatione of the Kings goodnes. Rothes said, He believed well the goodnes of his nature, but was forie he should be so unhappie by ill advice ; that he prayed more heartilie for him then for his own wife and bairns ; but he was beginning to remitt a little of that height of perfectione, because he could not find the fruite of his prayers ; and yitt, he said, he believed he loved him better then any man else. He told the Commissioner, as his particular friend and servant, that he should not by any sudden and bruske dealing make the people repnte him the author of their evils, and so draw upon himselfe their irrecoverable hatred, which would have come to pass if, upon their refusal to meit him, he had gone away to Hamiltone, or still refused to come to Edinburgh ; that it wer absolutelie best to come to Edinburgh as he was desired, and give them a peaceable hearing ; and if, by the warrand he had received, he could not give contentment, to crave new warrands ; and if he perceived he could not satisfie by the warrands he received, to pairt with a regraite of his misfortune that he could not doe the good he wished in so weightie a busines ; and if his Majestie should thereafter employ against them the instruments of crueltie, that he would be none of them. So might

he preserve the peoples affectione, and they might take their hazard. The Commissioner answered, That his warrand fra the King had a full direction for that his Majestie wold grant, which he fould freelie declair; and that he durst not for his head fend up for any further directione. He told, that 60 shippes were readie to make saill hitherwards upon his advertisment. Rothes answered, If any such course wer taken when they offered to obey reason, they behoved to lay hold on these that wer heir, and, if he wer accessorie to it, he had done with seing Hamiltone. This being spoken with laughing on both sides, Rothes desired to know what he had resolved concerning his coming to Edinburgh. The Commissioner answered, That he durst not for his lyfe come so long as the Kings house was guardit. Whereupon Rothes cleared the matter, by shewing the occasion, a suspitione upone the bringing in of powder, &c. The Commissioner desired the guards to be removed, and gave sufficient satisfactione, by declaring upon oath ther fould no munitione be entered in the Castle durning the tyme of his treatie. Rothes said, That could satisfie himselfe, and he thought it wold satisfie others, if he wold make the lyke declaratione to them. The Commissioner answered, He wold not, neither durst he for his lyfe, being such a persone, give a publick assurance, and so seem to capitulat with the subjects for the Kings owne house. Rothes said, He behoved, 1. Either to give the lyke declaratione to sum others of their number in private; 2. Or else professe publictly that he wold not carie in any victualls or ammunitione to the Castle in a surreptitious way; bot when he was pleased or thought convenient to carie in any of these, he wold call for six of the chiefe of the Nobilitie among the Supplicants, and the Toun of Edinburgh, and make them the carriers and convoyers of it; 3. Or else he might give sum assurance to Haddintone, Southeske, and Lorne, who might, as of themselves, deall with the Noblemen, and professe they were so confident of his ingenuous and noble dispositione, that they wold bind themselves in any kind that durning the treatie nothing fould be caried in to the Castle. Lindsay was called in at the end of this discourse, and heard this last proponed; for the Commissioner wold have none called in, professing, if any thing escaped him of freedome of

discourfe, witnes might prove ; bot he being with one man, he might deny ; and thocht himfelf good enough for any one if it come to contradicitione. So taking leave of the Commiffioner, they returned to Edinburgh.

Montrofe
prefident.

Nixt morneing, being the 7 June, Rothes reported to the Noblemen that the Commiffioner ftayed at the guards, and beleived fum noblemen Counfellers wold come in to deall with them theranent. Accordinglie, the Earl of Haddintone, Southefk, and Lord Lorne come in and fent for Rothes and any other. Wherupone Eglintone and Loudone wer fent with him. They voluntarie offered themfelves pledges upone affurance of the Commiffioners honeft and noble difpofitione, (thogh they profefied they had not his word for it,) that the Caftle fould not be provydit dureing his dealling with them ; and if conditione were broken, that they fould come in to their partie and fubferyve the Covenant ; and it fould be accompted fuch a breach as fould for ever efter excufe them to diftruft ; adding further, that the Supplicants might keip a private watch, without fhew of armes.

Rothes, Eglintone, and Loudone returneing to the Nobilitie, thefe conditiones contented them, and wer fent by thefe three that afternoone to the Commiffioners of fhires, and condifcendit by all the 21 fhires ; onlie Fyffe, Air, and requested they might have the libertie to report it to the reft of their number : bot thogh they had bein refractorie, it was thocht condifcendit by the barrones, fince it was concludit by the farr greateft part of their Commiffioners. Thefe three went alfo to the burrowes, who all of them yeildit. Wherupone order was given for breaking the publict guard, and eight were appoynted to ftay in a houfe at the Weft Port, and tuo of them by towres to walk ftill betuixt the Weft Port and the Weft Kirk, without other weapones than fwords about, which was a way unfufpect.

Having thus concludit with the Noblemen, they refolved their journey to meit the Commiffioner ; and to that effect, that all the Noblemen fould meit at 12 hours the nixt day at Dame Gallowayes ; and they, with all others that had horfes, fould loup on at the foote of the Cannogait, and attend the Commiffioners comeing to the Long Sands : that they who wanted horfes fould be ordered as followes, betuixt Halyrudhoufe and the

east end of the Links, the ministers should stand outmost, the gentrie next, the burrowes after them, and the burgh of Edinburgh nerrest their owne toune. One of the ministers, Mr. William Livingstone of Lanark, was appoynted to delyver a speach to him as he first entered within the ranks of the ministers; and Sir George Cuninghame was appoynted to put the people in order.

That night, my Lord Haddintone returned late from the Commissioner, whom he had acquainted with the conclusiones was made for discharging the guards, and shew the Commissioner was offendit at the conditiones, and wold rather come in without any discharging of the guards, then that he and the other two Noblemen should be ingadged on these tearmes; and therfor desired the treatie might be dissolved at meiting. The next day, the 8 June, the treatie anent the guard was spoken off, efter that Rothies, Eglintone, and Loudone had met with Haddintone, Southesk, and Lorne, and they returned to their guard; and for the settling therof, appointed a committie of noblemen, Eglintone, Montrose, Weymes, Lothiane, Yester, Balmerinoche; barrones, Sir Patrick McGie, James Lyndesay of Belfane, Browne-hill, and Lawers; burrowes, John Smith, John Fletcher provost of Dundie, Thomas Bruce provest of Sterline, and Mr. Robert Barclay provest of Irvine.

Upon Setterday, the 9 June, Eglintone was president. The rest of the burrowes besides Edinburgh, who had saluted the Commissioner alreadie, desired leave to go and salute my Lord Marquise, only promising to welcome him, and expresse their expectatione of a good conclusion by his Lordships favour, and offer their service. Obtaineing leave, they performed answerable to their resolutione. Mr. Borthuick motioned from the Marquise, that he was to write to the King, and shew that guarding was discharged, and multitudes here to prevent the misinformatione his Majestie might receive from others. It was answered, All ar to depart the tonne, except sum Commissioners and Assessors, provyding all who ar not subferyvers shall disynisse their followers that ar more than the ordinarie household servants; and for guards, they shalbe forborne, as they have bein these

This private passage of the 9 June should have bein put in immediately efter the publick, on the 117 page, efter "The Commissioner and Counsellors."

two last nights ; and this forbearance of publick guards was yeildit upon assurance given by Southesk and Lorne.

Balmerinoch was sent down to the Commissioners of Barrones, to desire them stand to the conclusion that the Committie should make anent the private way of attending and watching the Castle, that the Commissioners might dissolve their multitudes, and take course that there might also many Commissioners remaine and Assessors as to make out 600 men ; and the Provost of Irwine was desired to entreat the burrowes appoint also many Commissioners and Assessors as to make up a competent and answerable number to these the gentrie were to provide.

The Commissioners of burrowes used diligence, and chose about 80 Commissioners, beside Edinburgh, with provision, if these be found over few, to double their number, and upon any great occasion all their whole numbers to be ready.

That the Commissioners of Barrones be appointed to attend, and that none break their dyets assigned ; and if any appointed be not able throw necessarie adoe to come, they shall furnish another in their place ; and to advise the Barrones that with a generall consent the contraveiners penalitie be 100 lib. It was required be the Commissioners of the gentrie, that none of their number shall sitt with the Noblemen except such as are appointed by the Commissioners of Barrones ; and it was thought fitt that the gentrie should have six Commissioners, whereof four shall be of the ordinarie Commissioners, and two Assessors, to joine with the Noblemen, and these to be chosen daylie ; also that one of the Commissioners that are chosen from the shires beyond Spey shall sitt alwayes with the Noblemen.

It being considered how they should now proceed with the Commissioner ; it was determined, that having given in the Supplications to the Council, and done all that becomes them that way, and being barred from any further dealing with them, for their not admitting their Declinatour and forcing their Protestation, they had made their next recourse to his Majesties selfe, and had interposed the Duke, Marquis, and Earl of Mortone as mediators ; that being advertised they were to receive the answer and

redresse by my Lord Marquise, his Majesties Commissioner. They wer now awaiting the significatione of he Commissioner this pleasour, and if their owne opinione be demanded, or if the Commissioner prease to take a way prejudiciall to them, then to declare, that as a Generall Assemblie and Parliament wer the most speciall of their Articles and demands sent up to the Duke, Marquise, and Morton, so was it the only right meane to redresse their complaints, and the only judicature that had interest to judge of them. Mr. William Livingstone, accompanied with Mr. Alexander Henderfone, Mr. Andro Ramfay, and Mr. Andro Blackhall, delivered the speech privatlie to the Commissioner, at Halyrudhoufe, which was purposed for his publict welcome. Messrs. Andro Ramfay and Thomas Abernethie delyvered copies of for-mentioned advertisment to the Noblemen Counsellers that wer in toune.

That which shoud imediatlie follow this begines upon the 117 page, at the words, "The Supplicants," and ends upon the 121 page, at the words, "within two days."

Upone Monday, 11 June, Loudone presided. Barrones nominate for the Commissioners of barrones, Auldbarr, Kerr, Lagg, Durie. Not Commiffioners, Cambo, Fentrie for that day. If the quiteing or altering of the Covenant be proponed to any, it was resolved they shoud answer, The Covenant is either allowable or just, or not. If allowable, why shoud they alter it? If not, let objections be made, and they shal defend what they have done by good reasons, and before the judge competent. The chosing of such as are to think on thir reasons are remitted to Rothes and Loudone privatlie to advertise them.

June 12, Cafsles president. Ther was chosen to receive the Commissioner his commandements, who had given advertisment that sum of the Nobilitie, gentrie, and uthers shoud attend him by 9 hours, Rothes, Montrose, Weymes, Loudone; of the gentrie, Auldbarr, Shereff of Tiviotdale, Keir, and Balvaird; of the burrowes, John Smyth, Mr. Robert Barclay, Provefts

of Dundie and Stirline, and Mr. Alexander Henderfone, minister. These went down at the tyme appoynted. The Commissioners discourse did suggest how happie we might make ourselves if we wold be moderate, look to what was our owne good, and not follow humour; and how miserable we would be if we should neglect and not take hold of his Majesties favours that wold be offered at this tyme. He shew that his Majestie was endued with many personall goods; and for his pietie, was four tymes everie day on his knees to his God, and eight tymes upone the day of his communione; that tuo dayes before his Sacrament he medled not with any worldlie affairs. Heir they fell upone the Service-book, and the mesour of Inglands reformatione; and Rothes, Loudone, and Mr. Alexander Henderfone proved it was verrie farr inferiour to the reformatione of Scotland. And this discourse continued for a while. To these that went doune at efternoone, the Commissioner shewed they behoved to go on sum way of trust; and if they had mistakings and fears of him, the buslines wer at one end, they could do no good. He said it was pitifull to see such mistrust. Was he not a Scottman of the best qualitie? Had he not all his estate and honour in Scotland? Had he not poor young children to succeid therto, which might bind him also much as any to be cairfull for the countries libertie? And for his religione, he thanks God he had also tender a conscience as any of them. He seemed to think that nothing could content the Supplicants but a Generall Assemblie and Parliament; that these were their onlie desires, and that they could not be pleased any other way; and that they myndit to force him to it by not heiring nor admitting any uther way; which Rothes understood efterwards by a discourse with Roxburgh. When the Supplicants put him to it, he assured them they should have a Generall Assemblie and Parliament, provyding they wold not irritate his Majestie by their cariage and behaviour in this buslines, and that in his Majesties owne tyme.

Earl of Rothes meitting with Roxburgh at my Lady Marshalls house seemed to think their desire of a Generall Assemblie and Parliament was an absolute and peremptorie way, if they wold admit no way else that wer prescryved by his Majestie, which Rothes cleired. Nixt, Rothes telling him

of the necessitie of a Protestatione if the Commiſſioner made a Proclamatione, they concludit, as the moſt convenient way, that the Commiſſioner ſould ſend for ſum of the Supplicants, wher they might ſhew the neceſſitie of a Protestatione, except the Commiſſioner wold aſſure ſum other certain way wherby the reſt of their deſires, contained in their Petitiones, Articles, &c. which wer not ſattiſfied by the Proclamatione, might be alſo heard and ſattiſfied; which they thoght alſe good as a Protestatione. Roxburgh promiſed to ſuggeſt the ſame to the Commiſſioner. Rothes alſo met with Lantherdaile that night, who, regraiting the way of a Protestatione [and] Rothes relating to him that concluſione, thoght it verrie convenient there.

The 13 June, Loudone preſident. Commiſſioners for barrones, Charles Erſkine, Lammintone, Preſton younger, Brounhill; for burrowes, Dundie, Irvin, and Culroſs. Ther was that morneing a report of a diviſione; that ſum of the gentry, eſpeciallie of Fyfe and Aire, wold diſſaſſent from the Protestatione; which being tryed, was found falſe, and that they all ſtood extreamlie firmlie to it.

To wait upone the Commiſſioner wer appointed the four Noblemen forſaid, with barrones, Shireff of Tiviotdale and Keir; burrowes, John Smith, Mr. Robert Barelay, the Clerk of Dundie; miniſters, Mr. Alexander Henderſone, Andro Cant. At their down-comeing, Rothes told the Commiſſioner that they had ſhowne his Grace the day preceding the neceſſitie of a Protestatione, if his Maſteſtie ſould declair his will in a publick way; that haveing againe advyſed the ſame, they found it ſtill more neceſſar; and, therfor, if his Grace diſlyked that way, as that which wold diſpleaſe his Maſteſtie, they wer come to be informed by his Grace of ſome other, wherby they might be aſſured of ſattisfactione to the reſt of their deſires, which they might communicate to their numbers, and ſo diſſuade the Protestatione. He answered, He could find no juſt reaſone but mens will, why they ſould go on in ſuch a courſe; for if a Protestatione wer abſolutlie neceſſar in law, it wer ſumthing; bot ſince it was not, bot wold hinder their buſſines, he admired why they wold take that courſe which wold diſpleaſe the King, and make him withdraw his grace and favour; that ther behoved to be truſt

in this buſſines; and if they did not repute him and the Kings other officers honeſt men, it was hard to deall any more in it; for if they wold, efter the Proclamatiōe givēg them ſuch evidence of his Majeſties goodnes, ſupplieate for ſuch things as they wanted of their deſires, he and the Counſell ſould employ themſelves that his Majeſtie ſould give them a hearing, and they might certaiſlie expect the ſame from ſo juſt and gracious a King. Lou-done replied; told ther unwillingnes to a Proteſtatione, if neceſſitie had not preſſed them; that it was the judgment of the moſt ſkilled lawiers; and in this caſe, wher his Majeſtie returned this anſwer as a full ſatiſfactione of their deſires, if they wer ſilent, they wold be repute as contented with receiving a plenarie ſatiſfactione of all their deſires by that was contained in the Proclamatiōe; that Proteſtationes had never bein ill taken in the higheſt courts of Parliament, thogh made by one of the mean-eſt. He preſſed the reaſons verie pertinentlie, and that a Proteſtatione was the loweſt and humbleſt way, and neireſt to prayers. The Commiſſioner ſtill inſiſted that it did not help them in law, wold irritate the King, barr all other fair wayes, and produce ſtreames of blood, wherof he was ſorrie; that the King had his ſhipps readie at the firſt advertiſment, if his favours were not accepted, and his honour ſlighted. Mr. Alexander Henderſone ſpoke ſumwhat to diſſuade any excepiōnes at the Proteſtatione. The Commiſſioner answered all very peremptorie; declared that he be-hooved now to ſpeak as repreſenting his Maſter. Rothes begged leave [to ſay,] that a king was a father and a maſter to his ſubjects; that a father and a maſter wold not ſpeak ſo obſcurelie to his ſones or ſervants; but if they wer in ane errour, wold ſtrive to rectifie them, and give them more cleir directiones, and wold not be ſo peremptore as not to hear reaſone; that they haveing ſo much reaſone for a Proteſtatione, deſired to hear of his Grace ſum other way wherby they might be aſſured of receiving ſatiſfactione to the reſt of their deſires, that they might deſert that of a Proteſtatione; that both his Majeſtie and Father of bleſſed memorie had not bein cairfull to give ſatiſfactione to the deſires of particular men, and if his Majeſtie wer preſent he wold certaiſlie endeavour to ſatiſſie his ſubjects in

ſuch a weightie buſſines ; that if his Grace would ſecure them of a Generall Aſſembly and Parliament, the Proteſtatione would be left. He ſtood ſtill at a diſtance, and told, it become not him to capitulate. At length, Theſaurer and Privie Seall havinge ſpoke ſumwhat to the purpoſe, craved leave of the Commiſſioner to ſpeak with them in another rowme. So they going with the tuo Stateſmen to the Counſell-houſe, they ſtill preſſed the Proteſtatione, as a thing needles, irritating, and hurtfull. They declared to them ſum other reaſones, that were not fitting to be ſpoken to the Commiſſioner. 1. That a Proteſtatione was the beſt way to keip peoples hearts united, wheras their not uſeing therof might breed a diviſione ; 2. That if they were forced to a declaratione, a Proteſtatione was their publick evidence befor the world, and their willingnes to make their humble addreſs to his Majeſtie for a full redreſs of their grievances ; 3. That if the words wer paſt for hearing their other deſires which remained unſatiſfied, yit nihil remanet ; that they knew how the Commiſſioner his Father had paſt his word in the Parliament 1621, in the Kings name, and the Biſhop of St. Andrewes in the Aſſembly of Pearth : and yit they had ſein it come to paſs far urtherwayes. Roxburgh ſpoke of the Commiſſioner, and their givinge aſſurance that, upone the Petitioners Supplicatione to the King, the reſt of their grievances ſould be heard. Bot Traequair come neirer the purpoſe, and ſaid they ſould deall for a Generall Aſſembly and Parliament, and that nothing could content the people bot a certaintie of theſe ; that words wold not do the turne, and therefore they thocht it meit that it ſould be proclaimed at that ſame inſtant with the Declaratione of the Kings will.

The Commiſſioners, returning to the reſt of their number, made report. And becauſe the gentry begouth to take the Proteſtatione more to heart than before, it was debated amongſt the Noblemen, 1. Whether a Proteſtatione was neceſſar in law ; 2. And if it wer ſo, whether it wer needfull at that ſame preſent tyme when the Proclamatione was made. Becauſe Caſſles and Lothian doubted of both, it was appointed that their lawiers ſould be required anent both ; and everie one ſould aſk the judgment of the beſt ſkilled in toun that they wer acquainted with.

Upon the 14 June, Balmerinock president. It was reported be Balmerinock, Loudone, Lothian, and Cafsles, that the lawiers with one voice thocht the Protestatione necessar, and at the same instant of tyme efter the Proclamatione ; that they had given them full satisfacione therin. So the Nobilitie concludit, all in one voice, that a Protestatione sould be made, and that immediatlie efter the Proclamatione. And the Commissioners of the gentrie they come and declaired, that if the Nobilitie wold not make Protestatione, wold doe it themselves without them. This was generallie concludit.

It was appoynted that ther sould be three or four punchcons in readines, with sum few dealls theron, to be a scaffold, wheron my Lord Cafsles sould stand to take instruments, Mr. Archibald Johnestone to read the Protestatione, Durie younger, standing behind him, Mr. James Baird and Mr. Thomas Nicolfone younger, on either hand of him, with a minister ; that about the scaffold a void salbe kepted for the Nobilitie, and they to be guarded by the shires.

About 11 hours in the forenoon, the gentrie of Fyfe, to the number of 500, come from the place of their meiting in the Colledge hall up the street to the Croce ; the gentrie of other shires come also : And when they ranked themselves from the Croce to Mr. John Gallowayes house, wher the Noblemen wer mett, on the one side Fyfe, on the other syde the other shires, leaving a lane betuixt them for the Noblemen to come up to the Croce ; and because the throng was great on either side, the gentlemen took their swords out of their belts into their hands for readines. After they had waited a while, when they had receaved certaine newes ther wold be no Proclamatione, they put their swords in their belts and dissolved. Roxburgh passing by in his coach as they stood ranked, looked upon them with great regrate.

It was rumoured that efternoon that the Proclamatione wold be sent to Sterline or sum other burgh, ther to be published ; wherupon it was thocht fitt that the Commissioners of burrowes sould send present advertisments to their severall burghs, that in case of a Proclamatione they might make a Protestatione, according to our informatione sent to them ; wherof the tenour followes.

The 14 June: to desire the Commissioners of burrowes presentlie to advertise their owne burghes, that if any Proclamacione come to their Mercat croces before that they be advertised by their Commissioners that the said Proclamacione hath bein used in Edinburgh, and received from them a Protestatione used in Edinburgh against the same, and to be used in everie other burgh, that the Majestrats or counsellors of the burgh, or sum other in their name, after the hearing of the Proclamacione, Protest in maner followeing:

1. THAT we most humble thank his Majestie for recalling any of the late innovaciones, praying the Lord of Heaven to encline his heart to discharge these and all other our grievances by the Supreme Judicatures of this land; bot feing this Proclamacione neither discharges all our grievances, neither can secure in tyme coming from the re-entrie of these innovaciones, neither doth answer our Supplications craveing the redress of all our grievances by Assemblie and Parliament, therfor to Protest, That we doe and will constantlie adhere all the dayes of our lyfe, according to our vocatione and power, unto our Grievances, Supplications, Protestationes, Complaints, to our Confessione of Faith, the Solenne Covenant betuixt God and us, this kirk and kingdome, and to our last Articles drawne out thereof.

2. That this Proclamacione, nor no other, be prejudiciall unto any of these, or to our lawfull meetings, proceedings, perfutes, mutuall defences, nor to our persones or estates; but that it false lawfull for us to defend the religione, lawes, and liberties, the Kings Majesties persone and authoritie in preservacione thereof, our persones and estates, according to our Covenant, vocatione, and power.

3. To Protest, That we adhere to the Protestationes, Complaints, Supplications, and Grievances, made, or to be made, by the nobilitie, gentrie, ministers, and the Commissioners of burrowes, against this Proclamacione.

The 15 June, Balmerinoch president; for the gentrie, Sir Thomas Ker of Cavers, Erlistone, and Carlton; for ministers, Mr. Andro Ramsay. 1. A Proclamacione satisfactorie without Protestatione was thought good, provyding the Proclamacione be prepared by taking out what is evill, and putting in the assurance of a Generall Assemblie and Parliament. 2. No Proclamacione nor Protestatione, but a plain expresse of the Kings pleasour, and either Please or Displeas, Embrace or Quyt it. The Proclamacione to be sein, and the Protestatione; and the tuo to be accommodate and made to meitt together. The first tuo motiones wer made by Loudone from Lorne, the last by Montrose from Roxburgh.

It was thought fitt, that a short Supplicatione to the Commiffioner fould be drawne up, to be delyvered by funn of everie ftate. The forme therof was committed to Rothes, who drew it up according to the tenour before fett downe.

June 16, Balmerinoche prefident. To go doune with the Supplicatione wer appoynted, for noblemen, Rothes, Montrofe, Loudone; for barrones, Auldbarr, Shireff of Tiviotdaile, Keir, Balvaird; for burrowes, John Smith, Mr. Robert Barclay, and the Clerk of Dundie; and for minifters, Mr. William Livingftone and John Ker.

When the reft wer gone, (Rothes and Loudone ftaying dinner,) the Commiffioner called Rothes to a corner, wher, haveing notice that Rothes drew the Supplicatione, he faid, Sorrow fall the fingers writ the Supplicatione. Rothes answered, He knew not who had written that; and, laughing, he faid, He believed none of them could juftlie challenge any thing he had written about that buffines. Roxburghe answered, He wifhed all that wer written or fpoken in that buffines wer written or fpoken by him. The Commiffioner went alone with Rothes to the end of the gallerie, wher, regrating his owne conditione, that he was lyke to difpleafe his mafter, and to get the Supplicants diflyke; alfo enquireing of Rothes what was to be done in that buffines: Rothes propofed to himfelfe thefe thrie motiones proponed by Loudone and Montrofe the 15 June; adding, that for the laft of the thrie, concerneing the accommodatiōe of the Proteftatione to the Proclamatiōe, upon the fight therof he thoght it not fo convenient, becaus it went upon a mater of truft; and he believed his Grace had no warrand to communicate the fame to fo many. As for the other tuo, being repeated over again, the Commiffioner thoght verie weill of them, and promifed to take them to his confideratione; and told the doeing of one thing wold get them a Generall Affembly and Parliament, and any thing elfe they wold crave; protefting to Rothes that he had never communicate the fame to any other of their number, he faid, if they wold do any thing to content the King concerneing the Covenant. Rothes answered, That he heard of that a month fince. The Commiffioner faid, They might weill hear it from Loudone; bot he

had never spoken it to any living since his home-coming, except a litle to Roxburghe and Tracquir; nor durst he, finding the people so farr adverst. Rothes said, I hope your Grace hath sein the Reasones against the rander-ing of the Covenant. He acknowledged he had, and seimed not to think so much of them. But Rothes extolled them extreamlie, and told him, of all things he could crave, that was the difficlest; that ther was not a man joyned but wold rather quite his lyfe nor quite his part in that Covenant. He said he wold not desire them to quite it, but to send sum five or six of them to the King with a complement. Rothes denyed that ever they wold do that, or that any thing could be done in that, bot one of these tuo: First, To make sum declaratione to the world, sheweing their religione and loyall dispositiōne; that wher the extreame case of the kirk, by the growth of errors and disorders broght in by sum, had forced them to renue a Cove-nant with God, and being respectfull of their Sovereignes authoritie, had also renued the oath of their lawfull obedience to his Majestie, which was, by the malice of sum, mistaken and misreported, as intending therby dis-obedience to their Sovereigne: For clearing wherof, to signifie to the world, that as they had bound themselves to God absolotlie, so had they bound themselves to the King, according as their predecessors had done in their Confessione of Faith, and in their Declaratione to repeat the words of the Confessione of Faith, and to expresse patheticallie how much respect they intendit to their Sovereigne therby, and cleir themselves by a large discourse of any neglect or disrespect. 2. To send a Covenant to the King subferyved, with a Supplication or Informatione, sheweing the reasone why they renued the Covenant with God, doeing it speciallie to hold ou these evils that wer pressed upon this kirk by these that wer put over them; that they had all been cairfull to renue their acknowledgement of lawfull subjectione to his Majestie, as the speciall dutie they are bound unto nixt unto God, and ther to repeate, interpret, enlarge these parts of the Covenant which bind thus to his lawfull obedience; and that they had made bold, not only to send this apologie for cleiring their intentione, bot also to send his Majestie a subferyved Covenant, as the greatest testimonie of their obli-

gatione, first to God, and next to him, to be kept by him, as the chiefest partie on earth, who should see them performe their dutie both to God and to himselfe, and one to another; and if his Majestie would grace it with his hand, it would be a singular contentment to all the parties interested. He told him, except one of these, he knew not what could be done concerning the Covenant; that his Grace might think on these or any other motions, providing, 1. It did not derogate from the lawfulness of the Covenant, or integrity thereof, by taking away any part thereof; 2. It did not seem to favour of deserting or quiteing the Covenant, or disapproving it any way. The Commissioner besought him earnestly to think upon some way in giving the King a complement, and desired something of it might be put in his power. Rothes denied that could be done; but said he should think upon it, craving leave to communicate it only to four for advice in a matter of such weight; which the Commissioner granted, adding, that if they would do nothing for repairing the Kings honour, it was verie hard, and could not be expected of so good subjects. Rothes told him, They were also tender of his Majesties honour as of their lives; and if they had wronged it, let these suffer who had so done; but they could not understand these points of honour which were only such in the opinion of such mens braines, and not accounted true honour by any divyne or humane law, or sound judgment of any understanding man. When the Commissioner spoke of the coming of things to extremitie, he said, if it were during his treatie, he should be soon gone; and however the event fell out, it was pitifull; for if the King leave them, they would be the most base subjected natione under the sun; and no man would desire to live among them, he [they] had been so much obliged to his Majestie. Rothes told him, He cared not for it. Rothes told him, The more difficulties were proponed, the people were the more resolute, being put to think upon the more expedients for keeping together and strengthening themselves. The Commissioner did acknowledge it, and that there was no hope of dividing.

Upon Monday, the Commissioner returned, and desired to be excused for an answer the next morning.

That which should immediatelie follow this is the Explanatione of the Covenant, be way of Supplication, which is already written, and begins upon the [123] page, at the words, "That wheras," and ends upon the [same] page, at the words, "reigne over us," which pertaines to the publick storie; so goes on the rest of the publick as follows:

And wher the Commissioner had motioned the delyvering up sum of the Confessiones to his Majestie, It was by universall consent agreed, that one might be delyvered to the Commissioner for his Majesties behoof, with the conditions that the Commissioner should give assurance that it was neither requyred for rescinding it in haill nor in part, neither for changinge any thing in it, or any publick act to condemne any part of it; but only to be kept by his Majestie as the speciall partie on earth whom it most concerned to see the subjects performe their dutie to God, and to his Majestie, and each to other; and these to be assured, either under the Commissioners hand, or be ane Act of Counsell: but that was no more required.

The people got notice that the Bishop of Dumblane had come from Seton to read the Service-book in the Chapell Royall the nixt Sabbath, 24 June, which did so exasperate all to find them intend to practise these novationes which were petitioned against, and promised to be discharged; and if the Commissioner had heard the Service-book, it would alluterlie [have] disabled him to do any good. Amongst the Supplicants these inconvenients being presented to the Bishop, he willinglie absented himselfe, and that fear was removed.

The 26 June, the ordinarie number of Supplicants appointed to attend the Commissioner went to him with their Supplication, delyvering the same, shew[ing] it cleared the mistakes in the Confessione, especiallie anent that part of mutuall concurrence, which had stayed their desires of a Generall Assemblie and Parliament; which being now removed, they expected the same, having so much need of them. The Commissioner excepted against that part, "That his Majesties Commissioner conceived the Confessione of Faith to be ane unlawfull combinatione," &c.; affirmed that he adhered to the Confes-

fione of Faith with all his heart and soul, and wold subscryve it ; bot that it was the mutuall band at the end of the Confessione wherat he did offend. It was answered, The band was nothing but ane obligatione to defend that Confessione of Faith ; and the Confessione being good and allowable, as his Grace did acknowledge, it could not bot be lawfull to defend it. It was also showne that a mutuall band in the lyke case had beene formerlie allowed. The Commissioner craved till the next day to give them answer.

On the 27 June, the ordinarie number from the Supplicants went to crave the Commissioners answer to their Supplicatione or Explanatione, at which tyme the Commissioner told them he had got a power from his Majestie to indict a Generall Assemblie and Parliament, yit was it upone conditione of their surrendering the Covenant ; and now feing the ground wherupone he went is removed by their refusall to render the same, he craved their patience for a short whyll, that he might goe to Court and deall with his Majestie anent their desires, which could not be weill done by letters, that wer neither so able to present the truth of buffines, nor capable of a reply, in case of any objectiones or doubts ; promifeing to endeavour the perswasione of his Majestie that they wer loyall and affectionat subjects, and to labour a gracious answer from his Majestie to them. They rendering him thanks for his offer, and shew that they being bot a few, behoved to communicate his motiones to the rest of their numbers and sould attend his Grace verie shortlie with their answers. Many of the Supplicants wer impatient of so long delayes, the buffines being so important, and wold have pressed the Commissioner extreamlie for a present dispatch ; yit efter consideratione that their desires past his commissione, they acquiesced in his resolutione, with sum provisiones, which they desired might be proponed.

June 28, the Supplicants shew, That feing his Grace had not absolute power to indict a Generall Assemblie and Parliament, they thought his owne prefence could best procure the same ; bot they wer desired by the rest of their number humble to require his Grace to designe sum certaine tyme for his returning, feing the estate of the country could not endure a longer delay. 2. That all things sould indure in the same present estate, without

alteratione, untill his returne. For the first, he designed the fyft of August for his returne; for the second, he said, he could not answer till he knew the particulars, which was thought most fitt to be communicate by a fewer number. And so they promised to wait on his Grace one of the two days following.

The Supplicants got advertisments on the 29th of June, that certaine armes coft in Holland for sum of their uses, wer arrested there, and ane extraordinary search made for any armes to be transported to Scotland; and that this was procured by Sir William Bosswall, ambassadour for his Majestie in Holland.

On the 30th June, onlie three of the Supplicants wer appointed to attend the Commiffioner; who shew him, 1. That if he should faill in the dyet he had appoynted, the verie long delayes had bein desired, used in that buffines already, and the present and pressing necessitie of the church, had begotten a generall resolutione of using the ordinarie remead allowable by the lawes of God and of this countrie. 2. They craved there might be no alteratione, either fortifying or victualling castles or other places of strength, further then their accustomed maner, for wronging or oppressing the subjects. 3. That trade should not be stopped; instanceing the stay of armes by the Kings ambassadour, which they thought ane act of hostilitie, howbeit they wold not now complaine much of it. They desired the Commiffioner to try if it wer done by his Majesties warrand, and to obtaine from his Majestie another warrand for the deliverie of them, the price being already payed be his Majesties subjects. For the first, he said he knew they were to keip a church meeting, in case they could not obtaine a Generall Assemblie; for the which he was forie, but hoped to prevent, and obtaine his Majesties indictione, if they wer reasonable. As for the second, the providing of extraordinarie victuall or ammunitione to the Kings houses, these wer bot neidles fears; the King wold not do it, for any thing he knew, till he should see the end of his endeavours; and when he found it neidfull, he wold not goe about it in a private way, bot make the best of his subjects assist and doe it. As to the third, for staying trade, he knew no such purpose: that their armes was stayed by the Kings ambassadour he should communicate to his Majestie; bot

denyed to carie their defires for reftitutione, and undertakeing any doing in that particular. He faid it could not be evill taken, althogh his Majeftie had bein in a farr harder courfe then to ftay their armes, feing that it was conftantlie reported in England, that the Scots wer aymeing with 50,000 men to affault them ; and could they take it ill that his Majeftie fould impede all meanes that might enable them therto ? As alfo they wer unwilling that his Majeftie fould provyde his own caftles, and why then fould they have leave to provyde any further than the King ? They fhew the caftle was farr different ; for they had never given the leaft fignificatione, by word nor deed, of any other refolutione, then to labour, by all lawfull meanes, to avert his Majefties indignatione, and, in the cafe of invafione, to defend themfelves ; but for invadeing England, they curfed all that had any fuch thoght, or that ever purpofed any further then defence, which was both naturall, legall, and religious ; and feing they had never done any thing that might beget the leaft fufpitione of the contrarie, why fould his Majeftie either warand to do them fo much wrong, or not give order for redreffing of it, if it be done without his Majefties knowledge ? For their provydeing of armes was both warrandable by the Acts of Parliament, and moft neceffar for the defence of the countrie, when they wer threatned with foraigne forces, (which was affuredlie menaced by their adverfaries,) and with provyding the caftles and ftrengths for their overthrow. The comeing of forces by fea and land was frequentlie and conftantlie reported, which did the rather caufe provifione of armes to be made for fuch as wanted ; and the ammunitione broght home for the Caftle of Edinburgh, being formerlie threatned for battering the Town and beating the Supplicants out of it, might be verie lawfullie keiped out, as a fervant may keip up his mafters fword, wherwith he intends to hurt or kill him. So what they had done wer only acts of lawfull defence of religione, and of their countries liberties, and of their owne perfones, and a labouring only to hinder the meanes of our own defftructione and of unlawfull invafione. They defired his Grace rightlie to confider the different ends of provyding for lawfull defence and for unlawfull invafione, and then he wold not blame them fo much. After

sum expreffiones of his Majefties goodnes, and laying the blame on mifin-formers, they befoght his Grace to challenge freeilie what he thought amiffe in their actiones, that they might have occafione the better to cleir it, and he be the more able to give his Majeftie fatisfactione, and defired no Proclamatione to be made till his returne. He promifed to make none till they wer advertifed, and that for efchewing miftakeing, which might follow upon the fame not being expected. They alfo offered to fhew my Lord Commiffioner a letter from one of the fpeciall men of Drumfreis, bearing that the Deacon Conveiner ther, being stirred up by sum Maxwells that wer papifts therabout, had called the crafts to the Sandie Banks, and had taken all their oathes that they fould not fubfcrive the Covenant, and had threatned sum of the refufers with drawne whingers ; and although sum others therabout had given in a Supplicatione to the Commiffioner a few days before, and complained they wer threatned and forced to fubfcrive the Confefiione of Faith, yit the Supplicants haveing required earneftlie to know the perfons wer threatned and thefe who had done it did hear no more of either ; bot they offered instantlie to prove the accufatione contained in the letter, which was thought fitt to be remitted to the Counfell.

On the laid 30 June, a Proclamatione was made of the returne of the Counfell and Seffione to Edinburgh. The Thefaurer and Justice-Clerk come up to the toun, and declaired to sum of the noblemen and gentrie, and to the Majeftrats of Edinburgh, their purpofe, that the numbers conveyed about the Croce, and the rumour and appearance of a Proclamatione, might be informed and fatisfied, and that for efchewing all miftakeing.

On Tnyfday morning, 19 June, Balmerinoche prefident. For noblemen, Rothes, Montrofe, Loudon ; for barrones, Shirreff of Tiviotdale, Auldbarr, Keir, and Balvaird ; for burrowes, Johne Smyth, Mr. Robert Barclay, the Proveft of Stirling ; for minifters, Mr. Alexander Henderfon, Mr. Andro Ramfay, and Mr. David Dick, wer fent down to receave anſwer from the Commiffioner. The Commiffioner objected their preffing of people to fubfcrive the Covenant ; that he had received a Supplicatione from forty-five, wherof onlie five wer papifts, craveing his and the Counfells protectione,

becaus they wer threatned to subſcryve the Covenant. Rothes answered, It was hard to ſtay ſo great a generall buſſines for a particular complaint ; try it and puniſh the tranſgreſſours ; beſought him not to lay the fault of the ſtay upon the Supplicants, for they wer ſenſible of none ; and [if] he wold inſtance in any, they wold labour to remove it ; bot rather to give ſum other reaſonable pretence of delay, as his Lordſhips deſire to hear from his Majeſtie before he gave ane anſwer ; eſpeciallie, they deſired they might propone it in writ, and receive anſwers therto in writ, alſo for avoyding of miſtakeing that might be of words, and for more punctuall and exact proponeing and anſwering both for his Graces and his Majeſteis informatione. They deſired to know eſter what maner they ſould attend upone his Grace for ane anſwer. He anſwered, He ſould either give his anſwer at the Counſell table, or to a few of them in private. They ſaid they wold hardlie be fewer than they wer. He anſwered, They might be fewer. Roxburgh added, The fewer they wer the freer his Grace could be. They ſaid, They behoved to have ſum of everie eſtate. He anſwered, So they might. It was objected by the Commiſſioner, That they had ſent for moe numbers. It was answered, It was farr urtherways, for they wer dailie ſending away ſum of their numbers ; that they had chidden theſe who wer of opinione all ſould ſtay ; bot where mens inclinatione caried them to ſtay, they could not put them away. And thene parting, the Commiſſioner deſyred that Rothes and ſum few ſould come to him. Rothes answered, He could not, except that way of walking wer followed.

At their returne, having made report, it was thought fitt, That the way of proceeding with the Commiſſioner ſould be by writ, giving in their mynds, and receiving anſwers that way, as moſt convenient for giving ſatisfactione both to his Majeſtie and to his Majeſteis Commiſſioner, if he will onlie declare by word that they ſould take notes in writ, and anſwer the Commiſſioner by writ.

Advertiſment was given to the Commiſſioners in Fyff to order their numbers, and make them leſs, that they may attend the longer, and with the leſs trouble.

Upone Wednesday, 20 June, the Commissioners forsaids went down to receive the Commissioners objectiones against the Confessione of Faith; wher, efter the Commissioner had excused himselfe that he had made them stay so long without, being busie writeing, and behoved to be busie all that foirnoon, he told them he had no other objectiones, but such as he had alreadie proponed to them, and began in jest to object against the whole Covenant, and that they behoved to cancell it. It was answered, That they had alreadie cleered and declaired themselves theranent. Rothies added, That he wold not wish to be King over so many menfworne dogs as they wer, if they wold quyte their Covenant. Lorne spoke concerneing the appointing sum from the Commissioner to meet with them, since his Grace was not at leasure. Haddintone, Southesk, and Lorne wer appointed, who come up to my Lord Duries house for the Supplicants; together with these who went down, were the Earl of Weymes, the Shireff of Tiviotdale, the Commissioners of St. Johnestone and Aire, with Messrs. Andro Ramfay and Harie Rollock, ministers of Edinburgh, and Mr. Alexander Henderfone. These that wer appoynted from the Commissioner proponed this doubt, His Majestie may conceave that the Confessione is so generall in the clause of mutuall defence, that it may not onlie containe ane defence for religione and his Majesteis persone and authoritie, liberties and laws of this kingdome; but also a combinatione for defending delinquents against authoritie even in other cases than this foirsaide. This being the point condiscendit on to be cleered for the Commissioner and his Majesteis satisfactione, Rothies answered, That the words wer so cleer in themselves as concerned the clause, that they neidit no explanatione. It was replied, That since his Majestie craved satisfactione in that point how could they deny him so finall a favour as to declare their loyall intentione towards him? intimateing, that his Majestie thocht that the Covenant might be rescindit when the articles therof wer fulfilled; bot finding it impossible, because of their opinione it was perjurie, he desired only a declaratione of their loyall intentione in entering that Covenant.

The Noblemen returned to their numbers, and haveing made report, it was much debated, and at length concludit, If it wer neidfull to draw up

ane humble remonſtrance for explaineing their dutifull intentione concerning the claufe above-written ; and Rothes was appoynted to give advertiſement to ſuch as ſould draw up the Declaratione.

Rothes advertiſed my Lord Loudone and Mr. Archibald Johnſtone ; he could not have the occaſione of Mr. Alexander Henderſone that night. Rothes thoght, ſince that wherat his Majeſtie took exceptiones was proponed by tongue, the Declaratione might be returned by word alſo ; ſince the Declaratione, if it wer by writ, wold take a long tyme, and behoved to be als publicte as the Covenant itſelfe, and made by all that had ſubſcryved for the ſame reaſone. Mr. Archibald Johnſtone thoght it might be done beſt by way of Supplicatione, which might be done by the Commiſſioners in toun. Wherupone Loudone and he framed their draught be way of Supplicatione.

Thurſday, 21 June, Earl of Lothian preſident. The draught of the Declaratione be way of Supplicatione was ſein and appoynted to be re- viſed by Rothes and Balmerinoche, Mr. Alexander Henderſone, and Mr. John Adamſone ; and haveing changed fundrie words and ſum ſentences therin, copies therof was given, one to the Commiſſioners of ſhires and to the burrowes, and one to the miniſters, with a deſire to report their ſeverall opiniones againſt the nixt morneing.

The Barrones Commiſſioners of ſhires, being met to conſider upone the Supplicatione, directed Durie to the Noblemen with ſum peremptorie motiones. 1. That not one word of that Supplicatione ſould be changed. 2. That aſſurance ſould be gotten of the indictione of a Generall Aſſemblic and Parliament before it wer delyvered. 3. That aſſurance ſould be had that ther ſould be no more delayes nor doubts proponed. Sum thoght the motiones reaſonable ; bot efter ſum debating they wer ſatiſfied, and Rothes was directed to the barrones with ane anſwer ; who ſhew, for the firſt, Since there was ſum fault alreadie found with the narrative, and other faults might be found in the bodie which might be changed to their advantage, it was hard to ſtand ſo ſtrictlie on words. 2. Since they wer bound to ſatiſfie a private Chriſtiane if he wer offendit upon a miſtake of their

actiones, or to a freind at court, if he declared he conceived their cariage to be such as befieimed not loyall subjects, how much more wer they bound to cleir themselves to his Majestie if he stumbe at any of their actiones, that wer so justifiable that this could not prejudge their cause, thogh it wer done befor they got assurance of a Generall Assemblie and Parliament. It might be the Commiſſioner had not power to indict theſe befor he heard from his Majestie ; and this would be the longer delayed the longer they wer in giving in that Supplicatione. 3. That it was too much presumptione in them to barr all proponeing of doubts in tyme comeing ; what was heirefter alleadged might be heard, refused and refuted. He insisted a great deall longer upon ilk one of thir purposes, and gave them satisfactione. He spoke also to them concerneing the present provisione of armes for everie shire. He promised to provide a competent number for present use ; therfor, to try who wold buy armes and provide answerable.

Fryday, 22, Cafes president. Report was made from the barrones that they desired the Commiſſioner might be put to it to propone his doubts and demands ; that they wold never yeild that any explanatione could be made till they heard all that could be objected.

At ten hours, for the noblemen, Rothies, Montrose, Weems, Loudone ; for the barrones, Auld barr, Shereffe of Teviotdale, Sir Patrick Hamiltone of Little Prestone ; for burrowes, John Smyth, Mr. Robert Barclay, Proveſt of Sterline, Clerk of Dundie ; for ministers, Messrs. Andro Ramfay, Harie Rollock, Alexander Henderſone, and David Dick ; mett with Haddintone, Southesk, and Lorne, in Duries house, to whom they delyvered a draught of the Supplicatione, not as concludit upone, but only drawne and put to consideratione among the rest of their numbers. The Noblemen Counsellors excepted against the narrative, which bare, That the Commiſſioner had declared that his Majestie was most willing, and had given him power, without delay to indict a Generall Assemblie and Parliament, if the clause of mutuall defence wer cleared, which ingadged the Commiſſioner more then he had power to the declaring of his Majestis will, and so involved him in a difficultie ; affirmed that the Supplicatione was not conceived in so

humble way as was convenient, and contained more harsh expressions than the Covenant itselfe. They proponed another frame, drawne be my Lord Durie, upone their informatione, which was referred to the Supplicants consideration; and took the other to their consideration, promising a meeting with them be five afternoone.

Nota. That morning, Mr. Eleazer Borthwick had privately carried a copie of the Supplication to the Commissioner, who disliked many things therein. The noblemen returned to their number, and proponed to them the draught they had received from the Counsellors. It was debated amongst them by Lyndesay and Yester, Whether any thing of that kind should be received by them from the Counsellors? This was thought too peremptorie. It was resolved they might receive what they had proponed, and take into further consideration, that it might be refused with the better reason. Whereupon Mr. Archibald Johnstone was appointed to consider that draught, who drew up sundrie objections against it, shewing the inconveniencie thereof.

The Commissioners fra the Supplicants meeting againe with the Noble-men Counsellors in Duries house, at five hours in the afternoon, the Counsellors desired to know what they thought of their draught. They shew their utter dislike of it; and Loudon read out sundrie exceptions, sum wherof they acknowledged, and said they might be helped. The Supplicants shew that it was to no purpose to take paines for mending that which was in the hail so faultie; and desired the Counsellors to declare what they thought of their draught they delivered them. The Counsellors proponed sum smaller exceptions, but declined to insist much upon them.

Because, the first draught of the Supplication was not so pleasing, Rothes had desired Mr. Alexander Henderson that morning to draw up another, which he did, keeping much in the expressions of the first, leaving out sum things which soundit harshlie, and going along with a smoother straine; and whereas the first insisted most in clearing the clause of mutuall defence, according to the doubt proponed by the Counsellors the 20 June, this last descendit not so particularlie, but cleared the Confession of Faith from the imputatione of combinatione against law and authoritie. This draught

Mr. Alexander Henderfone, at Rothes desire, had shewn to my Lord Lorne to consider upone; who, being impatient to see both the former draughts displeased, drew out this last, which was read, did please a great many of them, and was taken by the Supplicants to consider against the next day. Sonthek reported, That the watch at the Castle had ryped my Ladie Marquise trunks, and made sum debate with the keepers of the gates, alledgeing it was a breach; objected to Rothes and Loudone, that Lorne and he stood ingadged to them, and if any victuall and ammunitione had been caried into the Castle, they wold have been hardlie challenged; and what satisfactione, said he, shalbe done for that? Answer was made, that they could answer, bot wold not at that tyme; pointing therby at the conditione of the private watche.

Because Mr. Archibald Johnestone had sum exceptiones at the last draught, Rothes, Montrose, Loudone, Mr. Alexander Henderfone, and he went into Mr. John Gallowayes house together; and after sum reasoning, they resolved upone sumthing to be added; and that night Loudone, Mr. David Caulderwood, and Mr. Archibald Johnestone revised it, adding sumwhat. As to the defence of the Kings person and authoritie, they added "in the preservatione and defence of true religione," &c.

Saturday, 23, Burly president. The last draught of the Supplication was read before the noblemen. Lindsay excepted, That howsoever the Supplicants cleared themselves of imputatione, in so far as concerned the defence of religione and the Kings person and authoritie; yit it did not clear the clause of mutuall defence from the imputatione of combinatione. It was answered, That the words of the Supplication concerning mutuall concurrence and assistance, &c. did sufficientlie clear that the words of mutuall concurrence and assistance, &c. being equivalent to the words of mutuall defence; it past by voteing, and was agreed unto by all; and Lyndesay, after sum debateing, acquiesced.

At two hours, the Commissioners of the Supplicants before named met with the foresaid Counsellors at Duries house; wher the Counsellors desired the change of sum words, wherto the Supplicants agreed; finding the change

of these words was to their advantage : As, for example, these words, “ did require us to give satisfactiōne to that as the maine hinderance of sattisfying our desires,” they changed thus, “ We being most willing to remove that, as a maine hinderance of obtaineing our desires ;” and these words, “ farr from any thought of withdrawing ourselues from our dutifull subjectione.” This draught being thus reformed by commone consent, was recommended to the consideratione of the severall meetings of the nobilitie, barrones, burrowes, ministers, and was condiscendit to unanimouſlie by all, with a resolutione to have presented the same that night. Bot because the Commiſſioner was gone out to Dalkeith, it was delayed till Monday.

Monday, 25 June. Because there was not much adoe, no president chosen ; but Rothies was both clerk and president.

It was reported that the Bishops wer purposed for court ; therfor it was thought fitt to send my Lord Lyndſay and Laird [of] Kilburnie to Dalkeith, to the Commiſſioner, to desire that the Bishops might be stayed, for the reasons followeing : 1. Because his Majestie hath commandit their home-coming, it being convenient they be present to informe the Commiſſioner, reply and cleer any accusatione made concerneing them. 2dlie, Seing they profess such violence against our legall course, and dare avowe they have suggested the same to his Majestie, it is very unfitt they should be suffered to returne, and impede by their calumnies that fair and peaceable course wherein his Grace is employed. 3dlie, It will disappoint, or at least delay verie long, the onlie meanes that can settle this kirk ; the Bishops being the parties challenged, whose absence out of the country will force their citatione to be on a very large time. If it be objected, that they are forced to go out of the country, that they may be secured of their lyves ; to answer, They have not been troubled, and if they wold be secured, they may be put in sum of the Kings houses. My Lord Lyndſay and Kilburnie returned answer, that the Commiſſioner said he wold not desire any of them to stay, not being secure of their lyves. When my Lord Lyndſay proponed they might be safe in the Castles of Stirling or Edinburgh, he said he wold not imprisone them.

June 26, Balcarras president. Rothés, Montrose, Weymes, Londone, Shereffe of Teviotdale, Auldbarr, Messrs. Harie Rollock, Robert Douglas, with Ediuburgh, Dundie, Stirlie, and Irvine Commissioners, went down. The Commissioner desired the Earl of Rothés to come and speak to him sum tyme that day, who returned at twelve hours and dined with him. Efter dinner, the Commissioner took Rothés into his bed-chamber, and closing the door, said in jest, He wished that he had everie one of half a scoir of them that way. Then drawing in a chaire, he desired Rothés to draw in a stool, and begouth ane grave discourse: That before his down-coming he thocht that if the Supplicants obtained all their desires, they wold have quit their Covenant which they had entered for that effect; that Lorne, and Orbiston, and all of them, wer of that mynd; and therfor all his instructions ran that way; that if they had delyvered their Covenant, he could not onlie have granted a Generall Assemblie and Parliament, bot also that all things wherwith the Bishops might be charged, both spirituallie and criminallie, sould be heard and discussed, and if they wer found guiltie, to make them wagg in a widdie: But now he could doe nothing by his instructions, as he could make evident to any upon his lyff, offering a sight of the same; that although he was persuadit Rothés was also weill affected to, and carefull for the promoving of the buffines of the Supplicants, yit he knew him to be more wise and moderate, and therfor had desired to speak with him, for advyseing what was to be done nixt. He declared, that before he come from London, he thocht to have done a great work; bot now, since they had subverted the grounds wherupone he thocht to have proceedit, and wold not render the Covenant, he behoved to think upon the nixt; that since he could doe no more, he was resolved, with all possible dilligence, to go to Court, leaveing his people behinde, being of mynd to returne within 20 days or a month; that he wold do his best to appease the Kings wrath, and to bring him in a good opinione of his subjects; that letters wer not capable of replies, and therfor that his presence with his Majestie was necessar; that if he prevailed with his Majestie for their good, it was weill; if they could not be pacified, bot wold go on in ane violent course, he sould,

notwithstanding, returne, and shew him what might be expected, if he keiped lyff, and broke not his neck; that he wold endeavour to persuade his Majestie that he had good and dutifull subjects; bot if they wer not wile to accept the Kings gracious offers, he protested to the eternall God the Kings shippes wer in readines to come downe, and they wold be the most miserable people in the world. He said it was verie hard for him to returne about a Generall Assemblie and Parliament, when he knew not what was to be done therin, which wold breed both trouble to him and delay to the buffines; for he behoved to write still to his Majestie as buffines occurred, and wait for his Majesties answer; therefore he desired to know of Rothes what wold be done in the Assemblie and Parliament. Rothes answered, For the Parliament, it wold bot ratifie what was concludit in Assemblie; and sumthing about the mater of moneyes, wherto he believed his Grace wold be als willing as they: bot as for a Generall Assemblie, it was hard for any man liveing to determine what was to be agitate there before the Assemblie was set down; therfor desired him first to obtaine the indictione of a free Generall Assemblie. The Commissioner said, What call you a free Generall Assemblie? Rothes answered, Such a one as is indicted lawfullie, with a large tyme, consisting of two ministers (he thought) and one lay elder, chofen out of everie presbitrie. The Commissioner said, Might not the Assemblie be free, thogh Bishops wer members therof, as they had bein in seven Assemblies? Rothes answered, He thought they had not bein in so many, or, if they had bein, it was more than they had warrand for from the Acts of the Assemblies and Parliaments; or if they did sitt now, they could not sitt long, for they wer the persons wold be first pitched upon, and behoved to remove, because parties. The Commissioner desired Rothes to informe himselfe what may be said in law for or against their sitting in Assemblie, and to make report to him; for if they had been in possessione, and had reafone and law for it, the King wold stand for it, that they sould have a place there; and if they withstood it, that wold breed him a new trouble when he returned; and he had rather lose his lyfe and all that he had before he wer put to such trouble and vexatione as he had bein this

tyme past. He asked if they could condiscend what was to be judged in the Generall Assemblie? Rothes answered, That these things wer to be judged there which could not be judged in any other judicature in the kingdome; and it was nowayes fitting that such things as wer to be debated ther shold be proponed before the judicature wer fitting wherin they were to be decydit. The Commiffioner told, if they wold be moderate, they might be happilie settled, and the King wold crave none of their means; he wold have no taxatione. He spoke sumwhat of the hard temper of sum noblemen, especially of Lindsay and Loudone. Rothes answered, For Loudone, he was als moderate as any that satt with them, and that Loudone and he wer never of a different judgment; for Lindsay, he was young, bot assured what he spoke was not out of any seditious mynd; but onlie out of ane zeall and honest intentione. He also challenged Balmerinoch. Rothes answered, That he spoke but little, and was moderate enough; and thogh they differed sumtimes in the maner of carieing things, yit that they all agreed in mater.

Wednesday, the 27 June, Balcarras president. Report being made to the Commiffioners desire, they begouth to think of the way how they shold proceed nixt. Balcarras asked Rothes what he thocht was to be done. Rothes said, he thocht it fitting that the Marquise go to Court, wher he might more commodioullie go about the buffines and overcome difficulties; and, for themselves, ther wer tuo things to be desired: First, The limitatione of a short tyme of his returne; 2dlie, No alteratione here till his returne; under which ther might be comprised many particulars: as, under the first, if he keiped not the tyme, that they might be excused to take it for a denyall to hear or grant their desires: under the second, that the Castle be not victualled nor munitioned; that no impediments be made to trade, or ships stopped with commodities; that no Proclamatione be made till his returne; and any other thing they might think on against the nixt day; which was generallie assented to.

Thursday, 28 June, Balcarras president. The Laids of Durie and Leys Burnet wer sent from the Commiffioners of barrones with sum motions.

1. That they might take nottars with them, and take Proteftatione to the Commiffioner, if he returned not within fuch a tyme, that they wold indict a Generall Affemblie ; 2. That the Bifhops fould not go away in the meane tyme, and they who are away fould be made to returne ; 3. That no novationes, Service-book nor others, fould be preffed dureing his abfence ; 4 That no trade fould be ftopped ; 5. No caftles munitioned. The noblemen yeildit to them all, except that of the Proteftatione. Rothes and Dnrie debated the buffines above ane hour. Efter fatisfactione was given to all prefent, Rothes and Balmerinoche wer directed to the Commiffioners of barrones, wher they fatisfied them with good reafone anent the Proteftatione ; fo that, without a contrarie vote, they concludit it was inexpedient. Dnrie pleadit, That the Proteftatione was ane act convenient for them, both to intinate their mynd, and make their excufe for indicting a Generall Affemblie, in cafe the Commiffioner returned not at the tyme appointed. Rothes, on the contrair, reafoned, That a Proteftatione had been ever made, either in judgement or to rancounter fum public Act as their Proclamatione ; bot a Proteftatione could not have place either of thefe wayes in this cafe ; that the Commiffioner had promifed to perfuade the King of the loyalte of the fubjects and legalitie of their proceedings ; bot that private proteftatione in the Commiffioners bed-chamber wold difoblifh the Commiffioner, by putting fice ane affront upone him as to bring Nottars to his bed-chamber, difableing him from doing any good with the King, by irritateing his Majeftie, and belyeing the Commiffioner his former relatione of their legall courfes, with fuch ane unufuall act, as neither memorie of man nor hiftorie could furnifh with a precedent, and fo prejudge the buffines, by difoblifheing the Commiffioner to deall for them, and difableing him to prevaill if he dealt, the King being made therby more implacable, and all the reafones builded on their obedience wold not prevaill by reafone of fuch a rude act.

The forfaid Commiffioners went doune to the Commiffioner at efternoone. There was with him, befides the Counfellers whom he ordinarielie employed, a great many moe of the Counfell. The noblemen was not willing to fpeak

all they had to say before the Counsellors; but would have had my Lord Lorne propounding it privatlie, and preparing the Commissioner. They had spoken my Lord Lorne to that effect, but he had not gotten the opportunity. As the Commissioner came out from the Council, seeing the Commissioners of the Supplicants, he called them in with him, and the Counsellors followed, which made the Supplicants propose the two generalls onlie, before sett down, page [167]. When they begouth to mention the Proclamatione, he gave sum generall notice that he desired not that the particulars should be mentioned before ; of which Lorne took hold, and said, That the Supplicants might take more tyme to think upon particulars. The Commissioner added, that he should be readie to receive informatione from them, either by word or write, any tyme on this side Monday or Tuisday. Whereupon they departed, with resolutione to retorne the next day.

Fryday, 29 June, Carnegie president. They thought fitt, that of all their numbers onlie three should go down to the Commissioner, Rothes, Montrose and Loudone, with whom they thought the Commissioner would be freest. They went down at efternoone, to whom the Commissioner excused himself, that he could not have leasure to hear them, because he was taken up with dispatching letters to England; but if they would come to supper, or retorne the next day, he should hear them at leasure, and if they pleased presentlie; but he expected they would do him the favour to delay for a little. Returning to the rest of their number, it was thought fitt, that the ministers and gentlemen of ilk Presbitrie should meet and consider who in their Presbitries are fittest to be chosen commissioners for the Generall Assemblie; and when the Presbitrie is unsure, as where the greatest part are Episcopall, that the ministers fittest to be commissioners be put in note, and that the ablest and best affected gentlemen in ilk paroch may be put on the kirk session, that so they may be in optione to be commissioners from the Presbitries.

On Saterdag, 30 June, Rothes, the ordinarie clerk, presided, as he did usuallie when ther was none chosen.

On Fryday, at night, sum shippes coming to the Road, it was thought that their armes wer come home; but David Jenkin, his man, coming to town on

Setterday morneing, reported all the armes wer arrested, and he himself had hardlie escaped untaken. Being called before the noblemen, he desired to relate how the mater had past. He made this relatione: That he had prepared sum 500 muskets and als many picks, and payed custome for them; that he had put them in the ship, with sum 200 muskets besides that he had not payed custome for; that the Customers finding the picks more handsome then ordinarie, suspected the muskets to have been indented, and so to have past for a lesse custome then they sould; that therupone they wold neids see the muskets in the chests, and finding the number to be more then was given up, they confiscate them that wer above the number; that he had provydit fundrie other armes, bot Sir William Boswall, the Kings ambassadour, had desired, in the Kings name, that no armes sould be furnished to the subjects in Scotland, who wer presentlie in rebellione against their Prince; and so all was stayed by a commandement from the Estates, though they had formerlie given libertie; that he heard he was to be laid hands upone himselfe, which had made him come away. This relatione was confirmed by two or three factors there, which extreamlie plunged the Noblemen. So that they wer upone a resolutione to have desired either my Lord Amond or Earle of Lothian, and failling of them the Laird of Keer, with Mr. Robert Meldrum to attend him, to have gone over presentlie, declared the truth to the Estates, and got libertie to transport armes.

The tyme comeing of the noblemens goeing down to the Commiffioner, they desired Lorne to go down before, and speake with him upon all the particulars they were to propone to him. They followed efter; and being come, wer called in [by the] Thefaurer, Privie Seall, and sum other Counsellers, who went out, and none stayed bot Rothes, Montrose, and Londone. The Acts of Parliament lying before him, the Commiffioner professed he had read more Acts of Parliament this tyme past then Scripture. Rothes replied, That if Scripture had been read and believed, and mens writs less respected, it had been better both for religione and lawes; Cæsar had got his owne, and God his. After they had entered to particulars, the Commiffioner said, That it was told him forty tymes they wold go into Ingland. They answered, As for

going to England, he knew there was nothing less in their mynd, except in the case of stoeping trade ; indeed such violence wold force them to seek meat wher they could have it, if they thus barred their countrie of food and other commodities. Rothes added further, If he wer readie to starve for hunger, and if ther wer bot tuo dishes before his Majestie, a capone and a giget of muttone, he wold humbly desire his Majestie to make his choyse, because he behoved to have the other for safeing his lyfe. He questioned what warrand they had, for that his Majesties ambassadour had caused stay their armes ? They said, It was most certane ; for one was come home who had cost them, and reported they wer arrested, the Estates warrand which he had obtained recalled, and himselfe fought for to be laid fast ; and this stay of their armes, they said, was also written by other two or three factors, wherof one said he had seen in the Secretaries hand ane supplicatione to the Estates from the Kings Ambassadour for staying of armes, upon a narrative that the subjects in Scotland wer in rebellione against their King. The Commiſsioner said, That behoved to be a lye ; for the Kings Ambassadour wold petitione no State nor King liveing. It was answered, He had mistaken ; it had been sum reference or other writ fitt for him to give in, bot that the Secretarie shew him a writ that had the contents forsaide. They said the stay of armes was ane act of hostilitie, and imported no less then the disabling of them ; that when his Majestie pleased to use violence, he might do it with freedom. The Commiſsioner said, He believed it was so. They pressed againe his Lordships dealing with his Majestie. He promised to represent the matter to his Majestie, bot wold not promise to procure the warrand. They represented to the Commiſsioner they had informations concerneing the stirre at Kinghorne and St. Andrewes, in case they wer calumniate, that he might shew the truth, utherwayes might suppress them.

The Noblemen returneing with their report to their number, they heard that ther was a Proclamatione to be made ; and suspecting that it contained a Declaratione of the Kings will anent the maine buſsines, they prepared for a Protestatione, and a scaffold was erected.

The 2d July, the Supplicants, fearing least the Chancellor shoud come

and fitt in Sefſſione, wher their cauſes might be agitate, did reſolve to uſe a Declinatour againſt him, and againſt the Prefident as acceſſorie to his Fathers courſes, and knowne to be a very ill inſtrument betuixt the King and his ſubjects, by his calumnies and lyes falling within the compaſs of the Act of Parliament, and knowne alſo to have been a great incendiarie, in ſtirring up our Sovereigne, and all that had power with his Maſteſtie, againſt the Supplicants, and ſo ordinarie and publick a railler, that he had extreamlie tempted their patience. With them they joyned the Clerk Register, who had ſo neer relatione in blood and inward familiaritie with both, as it was thoght they did nothing without his advyſe and approbatione, which appeared by many particulars. Being obliged to renewe their Declinatour againſt the Chancellor, they reſolved alſo to decline the other two, leaſt in the Supplicants actiones they might vent their actiones by partialitie.

The ordinarie number of Supplicants went down to the Commiſſioner, and ſhew the neceſſitie of uſeng Declinatour and Proteſtatione againſt the Prefident and Clerk Register; being aſſured the Chancellor had no mynd to come to the Sefſione. The Commiſſioner profeſſed very great diſcontent, and preſſed to diſſuade the ſame by many arguments, which wer answered. At laſt, he required, if they wold not be diſſuaded from ſo doing, at leaſt they might not all doe it altogether, bot everie one apairt, and ſeverallie as they had occaſione, and as any particular perſon wer called; for he feared their prejudice. They promiſed to preſent his deſire to the reſt of their number.

That day the Commiſſioner come to the Tolbooth to the Lords of Sefſione, and ſhew he was commandit by his Maſteſtie to repreſent to them, That with other reſpects moveing his Sacred Maſteſtie [to] recall the Sefſione to Edinburgh, the perſonall incommodities ſuffered by the Judges thorow removall was a ſpeciall motive; 2. Deſired, That by ſpeedie diſpatch in the adminiſtratione of juſtice, the bygone tyme may be regained to the ſubjects; and laſtly, in regard of thir tymes, That nothing might eſcape their Table prejudiciall to his Maſteſteis honour and ſervice. The Lords humbly

acknowledged his Majesteis gracious favour, and ordained that to be recorded in their Books of Sederunt.

On the 3d July, the Commiſſioner, according to his promiſe, gave notice that he was to publiſh his Majesteis Declaratione the next day ; and having rightlie informed his Majestie of the nature of a Proteſtatione, had brought him to comport therewith, provyding it wer humble as becometh, and thankfull for ſo much goodnes and grace as it contained, bot withall preſſed to diſuade it as neidles.

On the 4 July, the Proclamatione was publiſhed ; the copie therof is in print. The nobilitie, gentrie, burrowes, and miniſters all attending about the Croce, and expecting ane Proclamatione als fair as was promiſed, wer grieved at the heart to hear it of a tenour ſo heavie on them ; and haveing formerlie provydit a Proteſtatione of ſo large a tenour as to answer any thing they could ſuppoſe might be contained in a Proclamatione, they wer forced to make uſe of a great pairt therof, and to forbear one they had provydit, ſo fair and ſhort as did only answer that informatione and promiſe they had gotten of the ſmoothnes of the Proclamatione. The copie of the Proteſtatione is in print.

After the Proteſtatione was made, and Inſtruments taken, the Reader offered a copie of the ſame to the Herald in all humble manner ; and all parted with much diſcontent, wondering why the Proclamatione was called ſo fair, whether to preoccupie mens myndes and barr them from judgeing it, or to tye up their tongues fra expreſſing the truth, for fear to contradict ſo large and great teſtimonie. However, it was reſented as a great prejudice by all intereſſed.

The Supplicants got notice, on the 5 July, that the Lords of Counſell had ratified the Proclamatione, by ane Act of the tenour followeing :

“ The whilk day, the Lord Commiſſioner his Grace, and Lords of Secret Counſell, haveing ſeriouſlie weighed and pondered his Majesteis Declaratione of the 28 July, and this day paſt be Act of Counſell, finds the ſame ſo full of grace that they judge themſelves not only bound by way of obedience to receive the ſame ; bot in all humilitie, with thankfull hearts, to

acknowledge his Majesties grace and goodnes, and therewith wifhes that all his Majesties subjects may, as they ought, rest satisfied therewith, and that we with them and they with us may testifie our thankfull acceptance therof by our humble prayers to God for his Majesties long and prosperous reigne."

The report of this Act made the Supplicants draw up furr Reafones, to be deliyvered to the Commiffioner and Lords of Counsell, for hindering it to be booked, and to make them sensible of the errour committed both against their own consciences and the haill Supplicants ; the copie wherof follows :

WHERE We, his Majesties good subjects, have for a long tyme expected a redress of our grievances, and a gracious answer to our Supplications and Complaints, we are by the late Proclamatione more heavilie grieved then befor, and so much more because we hear the Lords of his Majesties Secret Counsell are about to give their approbatione therto, as satisfactorie to themselves, and binding them to give obedience therto, and wherwith they with all his Majesties subjects may rest satisfied, as they ought, which can neither be required nor expected, for the Reafones followeing :

1. It doth neither disallow nor discharge the Service-book, Book of Canons, nor any other of the novations and ills complained upon; bot, on the contrair, confirminge the Proclamatione, February 19, importeth that the Service-book is a readie meane to maintaine the true religion already professed, and to beat out all superstitione, &c., and directlie beareth in itselfe that the said book may be pressed in a fair and legall way, sith that the Prelates and their followers may practise the same, and they may be used as the onlie forme of Gods worship in this kingdome.

2. It does not abolish, as we hoped, the Court of the High Commiffion; bot rather, by promisinge to rectifie the High Commiffion with advyce of the Counsell, doth establish the same, contrair to the lawes of this kingdome, against which, alswell, other judicatories and laws may be established with lyke reason, without consent of Parliament.

3. It granteth not one of our desires, nor doth so much as make mentione of our humble Supplications; bot, on the contrair, doth condemne our lawfull proceedings as great disorders, justlie deserving furr severe executione from his Majesties power, and as a running headlong unto our owne ruine, notwithstanding that we have cleared ourselves befor to the Counsell, and of late to his Majesties Commiffioner, of all unlawfull combinatione and disorders. Thus, it aggravateth faults wher non wer committed, and threatneth ruine wher no punishment was deferred.

4. No hope given us to be freed of Pearch Articles; bot rather that we shalbe still kept under that bondage, although they have been a maine cause of the divisione of this kin, and of the miserable consequences followeing therupon.

5. Although the Prelates have wrought us all this woe, and our complaints from the beginning have been principallie intendit against them, as wicked instruments labouring to divide betwixt God and his people, and betwixt the Kings Majestie and his subjects; yet have we no hope of justice against them by this Proclamatione, which doth pass their guiltines altogether with silence, as if we had never complained against them, or petitioned to have them put to tryell.

6. Although, according to our frequent Supplications, the necessitie of this kirk doth require the present indictione of a Generall Assemblie, and we wer ever in hope of such a free Assemblie as might promise us comfortable successe: yit, by this Proclamatione, we neither have certaintie of a Generall Assemblie, nor hope of lawfull libertie to be used therein for establishing the reformed religione and removing of corruptione out of the service and kirk of God; bot rather just fears that the Book of Canons and Service-book, which containe the Articles of Perth and many other corruptiones, shall therby, as by a fair and legall way, [be] established.

7. That the innovations of religione and worship of God complained upone by us are not by this and all former Proclamations acknowledged to be innovations at all, or to containe any Popish superstitione; bot, on the contrair, that they may not only consist with religione presentlie profest, bot also are means to confirme the same, and beat out all contrarie superstitione.

With these Reasones the Supplicants went to the Commiffioner, and shew they had bein made to expect a very fair Declaratione, and had provydit a Protestatione answerable; bot being disappointed, they wer forced to accomodate their Protestatione to the tenour of the Declaratione; and now hearing that the Lords of Counsell had a mynd to ratifie the said Declaratione, they had drawne up a few of these many reasones which they had against that ratificatione, and presented the same to his consideratione. The Commiffioner said, They had protested against the Proclamatione; they might also protest against that Act if it displeased them; the Counsell knew what they did, and wold answer for it. The Supplicants answered, They did think the Lords of Counsell wold not think their owne judgements infallible; and therfor, upone better informatione, might recall what they had done; that sum of their Lordships had many tymes given their friendlie advyce to diverse of the Supplicants anent their cariage, and so they wer bound againe to advertise them of what they wer lyke to doe amiffe; and speciallie that they shold not wrong them, who wer their friends and servants; and the rather that they wer assured the most part of the Counsell had not done it expresselie, nor had ever considered that it gave a sort of approbatione to these novationes generallie complained upone, did condemne the Supplicants proceedings as disorderlie, deserving punishment, and declare the acceptance of the Proclamatione as satisfactorie to all had bein complained upone, and that they had no reasones as yit to be satisfised. The Commiffioner seemed not willing at that tyme to give them satisfactione; yit the Sup-

plicants delyvered unto him a copie of the Reafones, and both gave copies and informed the Counsellors of their prejudice by that Act, what burthen it laid on the Supplicants before all the world, which was so much the heavier that it proceedit fra the Counsell of the kingdome; and how it did reflect much on themselves, as not being according to their owne judgements, and, if rightlie considered, could not be verified.

The 6 July, the Supplicants resolved a twofold persuite against the President and Clerk Register; One before the Commissioner, for faults alleadged committed in their places, Another criminall befor the Justice, for sowing feditione betuixt the Kings Majestie and his subjects, according to the Act of Parliament. Therefore they drew a Bill to the Commissioner, craving warrand from his Grace to summond them before him, to hear the said crymes proven, and them punished. They craved his Graces warrand to the Kings Advocat to concurr with them in the criminall persuite, purposeing, upone the dependence of these persuits, to propone their Declinatour, or, if the persuits wer denied, to take instruments upone the refusall, and to propone their Declinatour upone the instruments of diligence.

The contents of the Counsellors Act, ratifieing the Proclamatiōe, being then spread, had begotten such universall discontent and resentment of a wrong done by the Counsell to the Supplicants, as they who went down with the Bill to the Commissioner wer most speciallie enjoyned to expresse the same, and desire his Grace to conveyn the Counsell the next day, that so the Supplicants might fullie demonstrate to his Grace and them the prejudice of that Act, and might obtaine it to be destroyed; and if he did refuse to call the Counsell then presentlie to shew himselfe the whole evils of the said Act, and to go to all the Counsellors, and signifie the same, offering to improve it, as not containeing truth; to declare fra the whole Supplicants that they conceived the imputatiōes laid upone them by it to be als great ane act of enmitie as if they wold seek the destructione of their lives and fortunes, and to desire them either to rescind it or instruct the truth of it.

When the Supplicants wer presenting the Bill against the President and

Clerk Register to the Commissioner, he desired them, since the mater was of great importance, and concerned public officers, to desist fra that per suite till his returne, as being most convenient for their busines: wherto they yeildit, and shew how willing they wer to obey his desires in any thing that concerned their estates; bot that the mater of conscience and credit was dearer to them then all the world, which they conceived to be much concerned in the last Proclamatiōe, and more in the Act of Counsell ratifying the same; and therefore humbly desired his Grace to assigne sum tyme the next day for the Counsell to meet, that they might present to his Grace and the Lords of Counsell the heavey prejudice they sustained thereby, and bitter grievances arising thereupon, which they could not so conveniently do by word as by Supplication to his Grace. The Commissioner assigned the next day for their hearing.

On Fryday, 6 July, Montrose president. The Committee for the Declinatour met, and resolved upon an Informatione anent the Declinatour to be proposed against the President and Clerk Register, as followes:

“Wher we ar to pursue the saids persons, To compear before his Grace to hear the saids crimes proven, and them punished with all rigour, conforme to the Acts of Parliament; Next, wher they are challenged for lying betwixt the King and his subjects, and being airt and part in the introduction of novationes, To raise ane per suite before the Justice-Generall for the same at the instance of the Supplicants, with recourse to the Kings Advocate to concur; Next, upon the dependance, To propone the Declinatour upon these instruments of diligence, which is equivalent to dependance.”

This course being resolved upon, the Laird of Durie was appointed to draw up the bill to the Commissioner; which he did, according to the tenour followeing:

PLEASE your Grace, Wee, Noblemen, Barrones, Burrowes, Ministers, and Commones, subscribers of the Confession of Faith, humbly meanes ourselves unto your Grace, as his Majesties Commissioner, shewing that our gracious Sovereign his royall predecessors of worthie memorie, and Estates of this Realme, being sensible of the benefit of justice sincerelie exercised, have not onlie established judicatories lawfull for the administration thereof; bot likewise find it necessarie, by sundrie lawes and acts, to proryde against the prejudice which might come by the corrup-

tion of judges, who might carie themselves dishonestlie, and take brybes in the discharge of their functiones, making them thereby justlie punishable, being challenged by his Majestie, and found gniltie; and we knowing assuredlie that Sir Robert Spotswode of Donyppeace, Knight President of the Colledge of Justice, and Sir John Hay of Land, Clerk Register, have frequentlie and dyverse tymes, themselves, their servants, and others, receaved money, gifts, or brybes from his Majesties leidges having actiones and causes depending before the Sessione, contrair to conscience and honesty, and their dutie, lawes and Acts of Parliament of this kingdome; lykeas, Wee heirby offer to prove and qualify the same sufficientlie before your Grace, as Commissioner to his Majestie, who, by Act of Parliament, is declared to be judge heirof: Therefore, Wee humbly beseech your Grace, as representing his Majestie, to whom we are commandit to present our Petitiones of this kynd, to give warrant and command to cause summond the saids two persones, and everie one of them, to compeir before your Grace, to hear and see the premises sufficientlie verified and proven, to hear and see the saids Sir Robert Spotswode and Sir John Hay, and everie one of them, found and declared to be takers and receivers of gifts and brybes, and therefore to be punishable by the Acts of Parliament and lawes of this kingdome, and declared to be infamous, and incapable to bruik any office, honour, or dignity, or place within this kingdome, conforme to the lawes therof. And your Graces answer.

In the mean tyme, Southesk and Lorne wer dealling with the Noblemen to desist from the Declinatour. The Noblemen, efter consideratione, resolved not to desist upone their mediatione from the Commissioner, bot if the Commissioner himselfe sould desire it, when they gave in their bill; then upone his mediate desire to desist, he promysing to accept it as a favour, and as a thing might much contribute to the good of their buslines, and enable him to do good in the same.

At efternoone, Dundas and Mr. William Cuninghame of Brounhill wer sent to the noblemen by the barrones, who deeplie repented the danger of the Counsells Act approveing the Proclamatione. Mr. William Cuninghame represented to the noblemen what great prejudices were sustained thereby, how their proceedings wer thereby precondemned, the Book of Canons and Service-book approven, the High Commissione acknowledged a lawfull judicatorie, which onlie neidit a rectifyinge, &c.; how the barrones had all of them solemnlie held up their hands, that if the Act wer not rescindit they wold pres the Counsellors to subscribe the Confessione of Faith, and if they refused, accompt them parties.

The 7 July, the Supplicants sent down their ordinarie number with their Supplicatione to the Commissioner; for although that they had heard that

the preceeding day efter their departeing from the Commiffioner, the Lords of Counsell, conceaveing the prejudices of the Act complained on, had dealt fo earnestlie with the Commiffioner as they obtained the fame to be destroyed : yit they could not find themselves secure except the fame were rescindit, upone their Supplicatione and Reafones contained therein ; upon which the Counsell might obtaine back from his Majestie the copie of the Act that was affirmed to have been sent to his Majestie immediatlie efter it was framed, which they feared might be divulged abroad, to perswade the world that the Counsell of Scotland disapproved their proceedings. They wer therefore the more earnest to have the fame recalled, and that the Counsell shoud declare by Act that they had given no further approbatione to the Proclamatione than by their subcriptiones to give warrand for proclaimeing his Majesteis owne pleasour to his subjects. These who went down to the Commiffioner haveing got this commiffione from the rest of their number, told the Commiffioner, That they, being heavilie grieved with the late Proclamatione and Act of Counsell ratifieing the fame, had drawn a Supplicatione for representing to his Grace their just grievances againt them, both which they declared. It was of the tenour followeing :

THAT wher the importance and equitie of our cause, his Majesteis just and gracious dispositione, our patience and long long attendance, our continuall care to give most ample testificatione of that humble dutie and high respect which, under his Sacred Majestie we have borne in our brest to your Grace, and to the Lords of Counsell, and the divyne power and providence of God, so sensiblie manifested in our so peaceable, so orderlie, and so successfull proceedings, that it is a wonder that any, haveing observed from the beginning the good hand of our God for us againt our adversaries, shoud be found so averse as not to joyne in heart and conscience with us. All these and each of them did promise unto us the satisfactione of our desires, and redress of our evils ; yit by the late Proclamatione, and extraordinarie approbatione therof in Counsell, our grievances are much increased, and our Complaints multiplied : For, first, the Service-book, which, by the Proclamatione February 19, is highlie approven as a meane to maintaine the true religione, and to beat out all superstitione, is by no word of this Proclamatione, June 28, disapproved, bot the practise thereof onlie discharged for a tyme, till a fair and legall way may be found for pressing thereof. It is declared by this Proclamatione that the Judicature of the High Commiffione may stand with the lawes of the kingdome ; it giveth no hopes that the Articles of Pearth shalbe abolished, bot rather holdeth us in fear to be pressed with them ; it hath no word for trying or censuring, the Prelates, although they be knowne, according to our Complaints, to be chief incendiaries in this combustione, and to be enemies to Religione, King, and Countrie ; no certaintie given of the

holding of Generall Assemblies, nor of lawfull libertie to be used therein, bot rather fears of the contrarie; the innovatiōe of religiōe and Popish superstitiōe complained upon by us are not so much as acknowledged to be innovatiōes or superstitiōes, bot rather to be remedies of superstitiōe, and meanes to establish the true religiōe; and finallie, not only our orderlie and peaceable meettings, which to your Graces full satisfactiōe we have justified, are supposed to be such disorders as deserves to be remedied rather by a powerfull then persuaasive way: Bot the sinceritie of our intentions is so farr taxed, as if the Service-book wer onlie pretendit to be the occasiōe thereof, although the Lords of Counsell, in their instructiōes to the Justice-Clerk, 5 March, desire that it may be [re]presented to his Majestie that the Service-book, Canons, and High Commisiōes, are the occasiōes of this combustiōe. 2. That which grieveth us much more, and giveth us just cause of most bitter complaint, that the Lords of Counsell, who are the most proper judges of disorders, tumults, and rebellione, should not onlie profess their owne obedience to and thankfulness for that which is granted by his Majesties Proclamatiōe; bot that also, by their Act of Counsell, July 4, they have judiciallie declared, that all his Majesties subjects ought to rest satisfised therewith. By which doeing, 1. They have *indicta causa* condemned us and our proceedings, according to the tenour of the Proclamatiōe, of great faults and disorders, of blind obedience and running headlong in our owne ruine, of deserving by his Majesties power:—2. They have, according to the tenour of the Proclamatiōe February 19, confirmed by them at this tyme, condemned our meettings of treason, and our proceedings since that Proclamatiōe to be an increase of disorders, and thus have not obscurelie given out their sentence of our deserved punishment:—3. They have heirby confirmed all our adversaries misinformatione and calumnies, for which they were to be persued criminallie, and have justified before all men the notable injuries which we have sustained this tyme past:—4. They have stopped the course of his Majesties grace and favour, which might have been expected by new informatiōe, unto which, by passing their sentence against us and our proceedings, they have now left no place:—5. They have provoked his Majestie to use his power against us as a disobedient people, that we may be brought to deserved ruine and perditione:—6. They have before the tyme made knowne to the world their judgement, and what will be their part if the King (as God forbid) fall proceed against us, his good subjects, with the executione of his threatnings, since they know that we have protested, and cannot rest satisfised with his Majesties Declarations. We perceave here a world of evils and many horrible consequents of this approbatiōe, by which, quite contrarie to our hopes, we are put in farr worfe case then when your Grace come hither; and therefore we do most earnestlie and humble Supplicate that sum course may be speedilie taken, either by rescinding the Act, and testifieing that their subscriptione to the Declaratiōe is no approbatiōe thereof, or by givinge their public testimonie to the cause which is commone to them with us, or by sum other satisfactorie meane, for preventing of such extremitie as may be grievous to us all; and that they wold forbear to do any thing, whether by letter or any other way, which may witnes their approbatiōe of the forsaide Declaratiōe in tyme comeing, or which may condemne or put any aspersiōe upon our proceedings: bot that they may be pleased to interced with his Majestie for the speedie indictione of a free Generall Assemblie and Parliament, as the only readie meane to redress our many pressing grievances, and to settle the peace of this kirk and kingdome. And your Graces answer.

The Supplicants having exprest their desires before mentioned of ane Act to rescinde the former, of obtaininge the copie of the Act back from his Majestie, &c., the Commiſſioner shew the Act had never gone to his Majestie, neither any extract therof; and that the principall was never booked, only writen over, and now rent in pieces; that he had only in a letter written the contents of the Act to his Majestie, and no further; that ther was a letter drawne to be sent, which did not please the Commiſſioner, bot was mendit; and thogh it was now readie, yit it could be stayed, so that ther neidit not any Act to rescinde that which was not, neither any other letter, since that they mentioned went not. The Supplicants requiring ane Act from the Counsell, to declare that the subſcryveing of the Proclamatione was not ane approbatione thereof from them, bot onlie a warrand for proclaiming of it; sum of the Counsell being ther, answered, The Lords of Counsell and Seſſione did subſcryve many warrands to their Clerks for regiftrating the Kings Majesties letters and declarationes, when they did not alwayes assent in judgement therto; that it had bein ever in custome, and that their selves had subſcryved that Proclamatione onlie to be a warrand to the Clerk to put it in register, that he might give out warrand to the Herauld to proclaime it, and did nowayes, by so doing, allow or disallow it, neither did that Act tye any mans judgement. The mater was debated at length before the Commiſſioner. In end, the Counsellors denyed to give any such Act as to acknowledge their subſcriptiones in such cafes to inport their consent; bot declared, by their signing the Kings Declaratione, they intendit no other thing bot to give warrand that it might be published, as the Kings Majesties owne pleasour, which the Supplicants behoved to accept.

The Commiſſioner at that tyme desired the Supplicants, first, That in his absence ministers that wer not covenanted should not be depofed: 2. That people should not be forced to subſcryve the Covenant, that no unlawfull nor hard meanes should be used to perswade or enforce them to it: 3. That they should not refuse to pay ministers who wer not covenanted their stipends: 4. That since he had stayed longer than he expected, they wold not think it a breach if he took sum longer tyme than his first appointment. They

answered to the first, That no ministers wer depofed ; if any wer fufpendit, it was not by violence, or for not fufcryveing the Covenant, bot according to the lawes of the Kirk, for other caufes, fuch as fould be made good to his Grace at his returne : 2. That none wer forced to fufcryve, onlie they wer perfuadit by good reafones, and the mater was fo holy, that they held it irreligious to ufe wicked meanes for advanceing fo good a work : 3. That thefe who were refufed their fipends had procured the fame themfelves, by railing upone their people ; therfore desired his Grace might take courfe for repressing thereof, and then the other wold follow : 4. The Supplicants agreed to the 12 Auguft designed by the Commiffioner himfelfe for his returne, earnestlie befeiching his Grace to deall effectuellie with his Majeftie for bringing all to ane quiet iflue, as he loved religione and his countrie, and to report their loyaltie and faithfullnes to his Majeftie ; and fo parted.

That efternoone, tuo or three of the number wer fent to the Commiffioner to propone their humble desires, 1. That his Grace wold deall with his Majeftie that the merchants free tradeing fould nowayes be ftopped : 2. And that the intercepting and opening of letters fould be tryed and punifhed, fince all letters fo opened wer againe clofed with Witherintone, the poftmafter, his feall, that they might have free paffage : 3. That he wold fhew his Majeftie how much prejudice the fubjects fufained by the granting of protectiones : 4. That ministers fipends might be paid by thefe who have not fufcryved the Confeflione of Faith : 5. To deall that the Act of Counfell dated July 5, and intendit for removeing the Service-book and Book of Canons, and all feruples, fould be alfo refcindit, offering to prove it alfe prejudiciall to the desires of the Supplicants ; the copie of it followes :

AT HALYRUDHOUSE, 5 *July*, 1638.

THE Lord Commiffioner and Lords of Secret Counfell, haveing, upone the 4 July instant, published his Majefties Declaratione anent the Service-book, Book of Canons, and High Commiffione, and being informed that his Majefties Declaratione is not fo cleirly underftood as is neceffar, Therfor, and for removeing all feruples which may arife to any of his Majefties good fubjects anent his Majefties Declaratione forfaid, declares, That it is his Majefties gracious pleafour, lyk as his Majefties Commiffioner forfaid, and Lords of Secret Counfell, abrogates and difcharges the faid Service-book and Book of Canons, and inhibits all ufe and practife thereof, by whatfum-

ever persone or persones, of whatsoever qualitie, ecclesiasticall or civile within this kingdome, anent the Act of Counsell made in the month

1636, and another made in the month 1637, with the warrands wherupon the same proceedis, and Proclamations following thereupon, anent the premises or any part thereof, with all other Warrands, Acts, and Proclamations made thereanent; and declairs the same to be now, and in all tyme coming, null; and as for the High Commiſſione, the Lord Commiſſioner and Lords of Secret Counsell finds themselves warrantit to discharge, lykas, be these presents, they do discharge all use, practise, and exercise whatsoever of the High Commiſſione past heirtore; and declairs all his Majesties leidges, of whatsoever qualitie, free from all compearance before the Judges of the said High Commiſſione, and discharges the saids Judges of all proceeding against his Majesties subjects by virtue thereof in tyme coming, till his Majestie so rectifie the same as nothing therein fall impugn the lawes of this kingdome, nor be a just grievance to his Majesties good subjects; and ordaines Proclamations to be made hereof at the Mercat Croce of Edinburgh and other places needfull, wherthrow none pretend ignorance of the same.

For attending at Edinburgh untill the Commiſſioners retorne the first fourteen days, beginning on Monday the 9 July, wer appoynted of noblemen, Yester, Balmerinoch, and Forester; for the next fourteen dayes, Louthiane, Dalhousie, Cranstone; and besides these, eight noblemen for the said month, viz. two weeks fra Monday 9 July, till Monday 16, Garlies and Home; fra 16 to 23, Fleeming and Boid; fra the 23 to the 30, Sinclair and Montgomerie; and fra the 30 July to 7 August, Drumlanrig and Johnstone.

Sunday, 8 July, at night, Rothes went doune to the Commiſſioner, who asked if he had any directione to give him or any thing to say to him. Rothes answered, Nothing bot to kifs his hands, to wish his Grace a good journey, and happie success in a mater which concerned the glorie of God and the good of the kirk and countrey, which might procure a blessing to himselfe and endeare the peoples affectione to him; to entreat his retorne with convenient diligence, and notice from him what they might expect efter he had preased to informe his Majestie aright. He told him, He had onlie bethoght sum little undigested paper for his Graces private use, which he had begun to scrole over at 6 hours in the evening, and now was awriting over againe, sitting to be exprest by his Grace, and not to proceed of them to his Majestie. He seemed to expresse that their proceedings wer such as wer hardlie excuseable, and that they wer so peremptore that they wold not be content except they got all their desires, without looking to the

preferving the Kings honour, or granting to him any thing he desired. Rothes affirmed they wer readie to give him all his desires, provyding they did not encroach upone their duties to God and their countrey. He feimed extreamlie offendit with my Lord Montrose his goeing to the North, and said, It might be the King wold send a ship to Aberdein to mar their proceedings there. Rothes told it was no breach, for he went not to compell any, bot to perswade sum. Taking leave of him, he delyvered the Information, wherof the copie followes :

ALL the Desires of the Supplicants resolves on ane Generall Assemblie and Parliament, these being the meanes to cognosce and redresse the whole particulars.

The Subjects grieves being just, and craving redress in the ordinarie legall way, cannot weill be refused, since the delay to repair so important grievances concerneing religion and the liberties of the countrie is a verie hard course befor God and the world ; and my Lord Commissioner knoweth now by experience that the mynds of all are exasperate therby, conceaving the one part of the neglect to concerne God in his worship, the other almost the whole estates and people of the land ; delay begetteth the opinione they are slighted. This drawes on a consideration of the eminence of their cause, the cleernes and lawfulness of their warrant to follow it, not as private persons or a part of the kingdome, bot as the collected and a more full number nor ever was joyned formerlie in any of the greatest and most publick actiones ; so that the more they are delayed the more they are exasperate, and moved to consider that Gods truth, the whole subjects, and their liberties, are so considerable as not to be neglected, bot that present and full satisfaction is due from his Majestie, considering his relatione either to the King of Kings or the whole subjects and bodie of this kingdome, over whom he is sett for good.

The delay to repair giveth the more tyme and occasione of thoughts, wherby his Majesties authoritie will be alwayes losing, which wold be speedilie prevented.

They are so farr from the thought of rebellione, falselie imputed unto them by their adversaries, as they have continuallie, since the beginning of this busines, profest, as their chiefe desire, the happiness to be ruled by their Sovereigne, according to the lawes of God and this natione ; neither can there be any ground of such thoughts, ther being none that can suppose themselves so happie in any other kind of government, as the foresaid under his Majestie ; neither can the most envious find in them any particular ends of benefit or revenge ; neither can that holy profession which they labour to retaine admitt such tenets ; neither can any of their actiones declair other than great regard to their Sovereigne, and speciallie that of their Covenant, where the respect of him and his lawes is placed next to God and religion. If his Majestie should intend to withdraw or diminish any part of that just power given by God to the Assemblies of His Church upone earth, it wer to break marches with that High Majestie, and no better success should follow thereon then such as appeareth this day by the like former practise, which hath occasioned his Majestie much discontent and many griefes, and heavie losses to the subjects. Their owne freedom, having alwayes there dutie both to God and his Majestie in their mynds, shall bring furth those effects tending to Gods honour, his Majesties comfort, and stabilitie to him and his royall posteritie ; truth and religion being alwayes accompanied with blessings from God, and is the surest hand of subjects obedience.

If his Majestie should be moved by misinformation (whence they think all their evils have proceeded) to force their obedience to unlawful things by external power, how far is that against the goodness and justice of his nature! how admirable fall that be in the eyes of the world, to whom the subjects will be forced to make it knowne! and how censurable before God Almighty, to bring trouble to himselfe, danger to his other subjects, and so a weakening of his own strength, and a losing of the affectiones of his antient and native subjects! So making way to the revenge of the French on England, and to the treacherie of the Spaniard on Ireland, their naturall and bound fidelitie being a hinderance of both these, and to such of the subjects as would be unfaithfull either in England or Ireland; their obligation to his Majestie being enlarged by 105 degrees more then these of the other two kingdomes.

Copie of the Kings Letter to the Town of Aberdeen.

CHARLES REX.

TRUSTIE and weill-beloved, We greet you weill. Having understood how dutifullie ye have carried yourselves at this tyme in what concerns the good of our service, and particularie in hindering sum stranger Ministers fra preaching in any of your Churches, We have taken notice thereof, and doe give you heartlie thanks for the same; and doe expect, that, as your carriage hitherto has been good, so yow will continue; assuring yow, that when any thing that may concerne your good shall occur, We will not be unmyndfull of the same. We bid yow fairweill. From our court at Oatlands, the last day of July, 1638.

Directed To our trustie and weill-beloved The Provest, Baillies, and Counsell of Aberdeen.

With the Kings letter, the Marquise of Hamilton sent a letter written by himselfe; the tenour wherof followes:

VERIE loving freinds, I hold it my dutie to accompanie this his Majesties letter with these few lynes, having heard since my coming here of the great zeall yow bear to his Sacred Majesties service, and lykwayes not onlie yow, but your whole town, are still prest to subserve a Covenant nowayes acceptable to his Majestie; and therefore, I, as his Majesties Commissioner, do earnestlie requyre yow cairfullie to avert, and so far as lyes in your power, in a fair and peaceable way, to hinder the subscriptione thereof by any within your town, as ye would deserve thanks from his Majestie, and receive favours fra him as occasione shall offer. Thus, with my heartlie wilhes for your prosperitie, I rest your verie loving and assured good freind,

Halyrudhouse, 10 August, 1638.

Subscriptur, JA. HAMILTON.

His Majestie writ a letter also to the Professours and Preachers of both Aberdeins: the tenour wherof followes:

TRUSTIE and weill-beloved, We greet you weill. As we did, with great discontentment, hear of the carriages of those who call themselves Covenanters, in your cities which are your charge, so did We with als great contentment receive the newes of your discreit and peaceable

oppoſeing them; and though We have not yit had tyme to recommend the peruſeing of your printed Queries to ſome of your profeſſione, whoſe judgement We purpoſe to aſk herein, yit, upone Our owne reading them, We find ourſelves ſatiſfied; that we thought good preſentlie to ſignifie to you Our gratiouſe acceptatione of the ſame, and that we hold them to be writen both with learning and a peaceable and moderate ſtyle, anſwerable to men of your places and profeſſiones; aſſuring yow, that if ye continue according to your power in this way which ye have begun, yow ſhall heirin doe Us verie acceptable ſervice, which ſhall not be by Us forgotten. Whereof We nowayes doubting, We bid you heartilie fairweell. From Our court at Oatlands, 4 Auguſt, 1638.

Directed To Our truſtie and weill-beloved The Profeſſours and Preachers of both Aberdeins.

With this from his Maſteſtie was ſent one alſo from the Marquis of Hamiltone to the Profeſſours and Preachers of both Aberdeins; the copie whereof followes:

REVEREND GENTLEMEN, So ſoon as I underſtood from the Marquiſe of Huntlie of the late proceedings at Aberdein, I diſpatched unto his Maſteſtie the ſamen; (for I mett with his Lordſhips packet on my way towards Scotland, and with all your printed Queries,) which how weill they are accepted by his gratiouſe Maſteſtie ye will eaſilie perceave by his Maſteſties letter, which here I ſend yow. I hold it my part to let yow know, how acceptable to myſelfe your whole cariages hath bein, and with what content I read both your firſt Queries, which I have ſent to his Maſteſtie; as lykwayes your ſecond Reply, which I have received ſince my coming here, and am now ſending to my moſt grations Maſter. In their Anſwer to your firſt Demand, I am infinitlie wronged by theſe three Miniſters, who, without the leaſt ſuſpitione of truth, have averred that I was contented and weill pleaſed with that Explanaſione of the Covenant, which was preſented to me as ane humble Supplicatione of the noblemen and uthers Covenanters, and I being enjoyed by his Maſteſtie to receive the petitiones of his ſubjects, and to give anſwer to them; bot to that I could give no anſwer, then that I wold acquaint his Maſteſtie therewith, who has as yit returned none to them; though I will aſſure you his Maſteſtie is far from receaving any ſatiſfactione by that was contained in their Explanaſione or Supplicatione, and juſt reaſone heſ he to think ſo of it; and what was my ſenſe and ſpeech [to thoſe] that did delyver it dyverſe of the Lords of his Maſteſties Counſell can bear me witnes; moſt of the which number they have lykwayes wronged, by inſerting untruths in their Anſwers to your Queries; and if juſtice be not quyt baniſhed out of the land, I hope I ſhall not be denyed it againſt ſuch falſe calumnies as they have raiſed of me. Your laſt book of Demands and Replies I purpoſe preſentlie to print here; and yow ſhall hear that I will cleerlie vindicat myſelfe from ſo foull ane aſperſione. In the meane tyme, [I end] with my heartlie thanks for your learned paines, and your pious and peaceable ſtyle, and my earneſt ſuite to yow for your conſtant continuance in the ſame as occaſione ſhalbe offered, with aſſurance that I ſhall be ane faithfull and favourable recommender of all your endeavours to our moſt gratiouſe Sovereigne, as being the dutie of him ſo to doe, who will ever approve himſelfe to be your verie reſpectfull freind, *Sic ſubſcribitur*, J. A. HAMILTONE.

I care not how publick ye make this my letter.

APPENDIX.

APPENDIX.

No. I.—MANUSCRIPTS OF THE WORK.

THE following brief notice of the several manuscripts used in preparing this work for the press, will, it is hoped, be not unacceptable to some Members of the Club. The text, as stated in the Preface, is given, with every attention to correctness, from MS. [A,] which has been preferred, as being the earliest, and evidently the parent source of the other MSS. described. No other copies than these are known to be preserved.

1. MS. [A,] 4to, pp. 363. ADVOCATES' LIBRARY, JAC. V. 7. 23.

This volume appears to have been written soon after the period to which it relates; and probably was the first fair copy made from the detached papers of the Earl of Rothes. There is at least a presumption, that, if not actually the copy written for the Author, it once did belong to the family, as the initials stamped on the boards are supposed to designate either Lady Margaret Leslie, the Earl's daughter, or his grand-daughter, afterwards Countess of Rothes. L
M L

From a note prefixed to MS. [D,] in the handwriting of Wodrow, it will be seen that he describes this manuscript as the Author's own copy; but upon what grounds he asserts this has not been stated. One peculiarity of this MS. is, that "the private passages, put in for the Owner's private use," being those relating to incidents and conversations in which Lord Rothes was personally concerned, are particularly marked within brackets, and it may be of importance here to specify them.

P. 4, l. 4, "The Bishops called befor them," &c. to the end of the paragraph, P. 5, l. 6, "such as served their own diocies."

P. 6, l. 19, "The letters written by the Noblemen," &c. to the end of the paragraph, P. 7, l. 12, "writ to his Majestie."

P. 8, l. 21, "Ther wer present at this meeting," &c. to the end of the second paragraph, P. 11, l. 7, "no tyme to reafone."

P. 17, l. 31, "It is to be observed," &c. to the end of the eighth paragraph, P. 23, l. 5, "promised report."

P. 24, l. 5, "According to K. James," &c. to l. 10 of the same page, "individable lump."

P. 30, l. 17, "On Monday 13, Rothies," &c. to the end of the third paragraph, P. 32, l. 15, "and wold adventure thereon."

P. 52, l. 13, "Upon the 29 December," &c. to the end of the next paragraph, P. 53, l. *ult.*, "at the raffie rigid censure."

P. 55, l. 19, "Upone Fryday morneing," &c. to the end of the paragraph, P. 57, l. 2, "faid in jest, Rothies was madd."

P. 59, l. 29, "Lothian and Balmerinoch," &c. to the end of the fourth paragraph, P. 60, l. 28, "maketh a legall way."

P. 61, l. *ult.*, "The Earle of Rothies," &c. to the end of the fecond paragraph, P. 63, l. 2, "and he wants his two sherifflippis."

P. 63, l. 16, "The Supplicants appoynted," &c. to the end of the third paragraph, l. 24 of the same page, "in the hands of nottars."

P. 64, l. 31, "Ther was two parts of all Fyffe," &c. to the end of the third paragraph, P. 65, l. 23, "they wer content to be gone."

P. 66, l. 5, "Arthour Erskine," &c. to the end of the paragraph, l. 20 of the same page, "the difficultie of the buifnes itselfe."

P. 66, l. 26, "Arthour Erskine, Creich," &c. on to P. 69, l. 7, "was thought on as the laft act."

P. 70, l. 29, "Upone Fryday, meiting againe," &c. to P. , l.

P. 129, l. 27, "The Supplicants refolved," &c. on to P. 152, l. *ult.*, "anfwer the next morning."

P. 157, l. 25, "On Tuyfday morning, 19 June," &c. on to P. 171, l. 31, "and a scaffold was erected."

2. MS. [B,] 4to, pp. 330. ADVOCATES' LIBRARY, A. 6. 40.

This Manuscript is in a handwriting, later by perhaps half a century than the preceding, from which there can be little doubt that it was taken, although the transcriber has thought fit to omit or to condense a number of sentences or passages towards the close of the work. That this volume was copied from MS. [A,] appears to be conclusive from this circumstance, that the transcriber, by turning two leaves over instead of one at page 161, has omitted the next two pages of that MS., by which the passage is made to read on, "If his Majestie (as God forbid) shall dislyke judges to the said nobilitie," &c.; thus omitting all between line 35 in page 85, and line 16 in page 86, of the printed text, being the concluding part of "The Counsel's Instructions," 5th March, and the commencement of "The Instruments," &c., at Stirling, 20th February.

3. MS. [C,] 4to, pp. 212. ADVOCATES' LIBRARY, JAC. V. 7. 7.

This copy is bound in the first volume of a Collection of "Kirk MSS." presented to the Library in 1783 by John Swinton of Swinton, Esq. advocate, afterwards one of the Senators of the College of Justice. It appears to have been transcribed about the year 1700, from MS. [B,] with which copy it corresponds in the accidental omission of the two pages, and the retrenchments in the latter part of

the work, but without adhering to the orthography, which has been modernized. From a note in MS. [E,] it may be inferred that this copy had originally belonged to the Rev. John Schaw, minister of Lefslie, in Fife. The punctuation, and a few occasional mistakes, have been corrected after the transcript was made. It may be added, that Mr Schaw was transported from Lefslie to South Leith in 1708.

4. MS. [D,] 4to, pp. 470. ADVOCATES' LIBRARY, ROB. III. 2. 11.

The present copy, which was transcribed for the industrious historian Wodrow, and collated by him, is immediately taken from MS. [A,] as appears, among other peculiarities, in the transcriber having copied the marginal references to the pages of that MS., which are afterwards corrected in Wodrow's hand to suit this transcript. The spelling is modernized, but the work is complete, without any of the alterations in the two preceding copies. At the beginning Wodrow writes this note :—" The margins all formed by me. The original under the E. of Rothes' hand, and what is in hooks () is his additions." He was mistaken, however, in asserting this, as the MS. is certainly not in the Earl's handwriting.

5. MS. [E,] 4to, pp. 347. ADVOCATES' LIBRARY.

This Manuscript, purchased at Mr. D. Constable's sale by Thomas Thomson, Esq. has since been transferred to the Advocates' Library. On the first leaf is written the following note by James Erskine of Grange, Esq. one of the Senators of the College of Justice :—" Ed^d. July, 1725. This MS. was transcribed from a copy afforded me by Mr [John] Schaw, one of the ministers of South Leith, and formerly minister of Lefslie, in Fife; his said copy, as he told me, having been transcribed from the original, which was kept at Lefslie, by John Lefslie, Earl of Rothes's, last deceased, father to the present John Earl of Rothes's, and who was [great-grand-son] to the Earl that wrote this History or Relation. J. E."

From this it is evident, that Lord Grange's transcript was made from MS. [C,] as it not only retains all its peculiarities of omission, &c., but also adopts the minute corrections which were made on that copy subsequently to its transcription.

Another Work, of which there are various Manuscripts, may require to be noticed, as it has been supposed to be the same as the present. It is entitled, "A TRUE RELATION OF THE PRELATS CARIAGE FOR INTRODUCING THE BOOKS OF CANONS AND COMMON PRAYER, AND OTHER NOVATIONS, LATELY PRESSED UPON THE CHURCH OF SCOTLAND, AND OF THE SUBJECTS LAWFULL PROCEEDINGS IN OPPOSING THE SAME." This title, however, applies to a portion only of the work; and as it com-

mences with the Historical Information of Proceedings, which appears in the earlier part of Lord Rothes' Relation, it is in this respect the same; but it contains none of "the private passages," which give the chief value to his Lordship's work. The greater part of the Manuscript consists of copies of public letters and papers, arranged in chronological order, from August, 1637, to November, 1639; but without any indications by which we might ascertain the Collector. It is not improbable that the Earl of Rothes might have collected these documents; as it will be seen, from the following detailed list of the contents, that they are the letters and papers introduced or referred to in his work, during the period which it has embraced. And there will afterwards be occasion to remark, that his Lordship had probably only perfected a part of his contemplated undertaking of inweaving into one continuous narrative those documents illustrative of that eventful period of our history.

Of this Manuscript Collection it is not necessary to specify all the copies that are known. It will be sufficient to notice the three which have been chiefly consulted, and which appear to be the earliest and most complete. The first copy is a folio of 310 pages, containing besides a full narrative of the Proceedings of the General Assemblies, at Glasgow 1638, and at Edinburgh 1639, in 348 pages, which might be deserving of separate publication. This volume was purchased from the executors of the Rev. Matthew Crawford, professor of Ecclesiastical History in the University of Edinburgh, for the use of the Church of Scotland, in the year 1736. The other copies are in the Advocates' Library, (A. 6. 7. and W. 6. 30. 4to,) bound up with MSS. of Row's History of the Kirk. The former of these contains also transcripts of various papers respecting the proceedings of the General Assemblies 1638 and 1639; the titles of which are not enumerated in the following list.

COLLECTION OF PAPERS, 1637—1639. MS.

1637.

The Preface "to the Christian Reader."

A True Relation of the Prelats Carriage for introducing the Bookes of Canons and Common Prayer, and other novationes, &c.

A Relation of the Broyle which fell out through the reading of the Service-booke, 23d July.

— A Supplication given in to the Counsell be Mr. Alexander Henryfoun and others.

The Lords of Counsell their Letter to the King, 25th of August.

The Kings Answer of the former Letter, to the Counsell, 10th of September.

Ane Supplicatione to the Counsell be the Noblemen and others, [20th September.]

The Counsell's Letter to the King, 20th of September.

A Supplicatione to the Lords of Counsell, [18th October.]

The Counsell's Letter to the King, 17th of November.

The Counfells Letter to the Earle of Sterline, 17th November.
 The Kings Letter to the Counfell, 25th November.
 Reasons moving the Burrows and others to subferyve the Complaint againft the Prelats.
 Motives and Directions for Union in the caufe of true Religion.
 A Letter difperfed (as would appear) written be a forraigne weilwifer.
 The Commiffioners their Bill to the Lords of Counfell.
 Reasons of no alteration of the words Archbifhops or Bifhops, Parties and Prelats.
 The Supplicants Bill to the Counfell, [19th December.]
 The Lords of Counfell their deliverance upon the faid Bill, 19th December.
 The Lord Lowdouns Speache to the Counfell, 21ft December.
 Mr. James Cunynghames Exhortation, 21ft December.
 Mr. Thomas Ramfay his Speache to the Counfell, 21ft December.
 The Lords of Counfell their Anfwer to the Supplicants, in writt, 21ft December.
 The Mafter of Berridaile his Letter to his Father, from Strathbogie.
 Ane Letter from ane Miniſter in behalf the bodie of the Land.
 The Complainers Declinatour of the Bifhops, [21ft December.]
 Prelacie declyned in twelve Articles, written at this time.
 Conſiderations for ſuch as are fenſible of the dangers of this intended Service; and
 urther Obſervations.
 Ane Admonition and Exhortation written be ſome weil-affected Brether to the reſt
 of the Brethren of the Miniſtrie, 1637, before the Covenant was renewed.

1638.

The Information given in be the Noblemen to the Counfellours, at Sterline, concern-
 ing the Proclamation.
 The Tenour of the Proclamation at Sterline, 19th February.
 Some Notes upon the preceding Proclamation.
 The Tenour of the Proteſtation againſt the fairſaid Proclamation.
 The Commoun Adverſement ſent from the Commiſſioners throughout the whole
 Kingdome, 22d February.
 The Service-booke urged upon Scotland ought to be refuſed and oppoſed for theſe
 Reaſons.
 The Lawfulneſs of the Subscription to the Confeſſion of Faith; with Objections and
 Answers to the ſubferyving thereof.
 Conſiderations for Theſe who are ſcrupulous to ſubferyve the Covenant.
 Ane Anfwer to ten Articles oppoſing our Covenant, given out under the name of the
 Univerſitie of Sanct Andrews.
 The Miniſters Letter to everie particular Counfellour.
 Motives written by the Miniſtrie to the Lords of Counfell concerning the preſent
 ſtate of the Kirk.

Mr. William Livingstoun his speache to the Marquis of Hamiltoun, the Kings Commissioner.

Ane Supplication to the Commissioner his Grace for a free Assemlie and Parliament.

Articles for the present Peace of the Kirk and Kingdome.

Memorandum for observing of Union, [9th May.]

Reasons for forbearing Attendance at this tyme on These who are not joyned in Covenant with us.

The Articles proponed by the Marquis of Hamiltoun his Majesties Commissioner.

Note of the Private Articles.

Reasons why Wee cannot subscriyve the Kings Covenant.

A Declaration of four of the Lords of the Session to the Kings Commissioner, anent the Covenant, 1st November.

A Letter sent from the Generall Assemlie at Glasgow to the Marquis of Hamilton.

A Supplication from the Generall Assemlie sent to the King, with Mr. George Winram, 21st November.

A Supplication be the Noblemen and others to the Marquis his Majesties Commissioner.

Some Poynts to be pressed upon the People in thir tymes.

The Lawfulness of the Subjects their defensive resistance of the invasions and violence of the Prince.

Ane Answer to the Prelats last devices for our division.

A Reproofe to the Bischops.

A Letter written by the Lords of the Session to the Kings Majestie, sent with my

Lord Justice-Clerk, in March; and the Instructions sent with the foirsaid Letter.

The Kings Letter to the Professours and Preachers of both Aberdeins, 4th August.

The Marquis of Hamiltoun his Letter to the Professours of both Aberdeins.

The Kings Letter to the Provost, Baillies, and Counsell of Aberdeen, 31st July.

The Marquis of Hamiltoun his Letter to the Baillies and Counsell of Aberdeen.

1639.

A Letter from the Nobilitie of Scotland to the Earle of Essex, 19th April.

The Marques of Huntlie his Declaration, sworne and subscriyved be his owne hand, 10th May.

A Letter from the Table in Edinburgh to the Marqueis of Hamiltoun, aboard in the Rainbow, 9th of May.

The Nobilitie of Scotland their Supplicatione to the King.

A Letter from the Nobilitie of Scotland to the Earl of Holland, 11th May.

The Nobilities Supplicatione to the Commissioner, 16th May.

The Oath of Allcadvantage.

The Oath that they urged upon the Scottisfinen at London, March.

The Kings Letter to the Lords of the Counsell of Scotland, 15th March.

The Kings Proclamation at Newcastle, 14th May.

The Earle of Hollands Letter to the Nobilitie of Scotland, 22d May.

The Nobilities Letter to the Earle of Holland, 25th May.

Instrucons sent to my Lord Holland, [25th May.]

The Marquis of Hamiltoun his Letter to the Earl of Rothes, 23d May.

[Verses upon the Rainbow, by Mr Patrick Hamilton, minister at Cambuslang.]

A Letter from Sir James Carmichael and Lord Southesk to the Scottish Noblemen.

A Part of the Historie of the Kirk of Scotland.

The Subjects Supplication, sent to the King with my Lord Dunfermling.

A Letter sent to the Noblemen and Counsellours of England.

The Answer sent from the King, by Sir Edward Verney.

Sir Edmond Verney his Memento of the Answer from the Scottish Noblemen.

The Kings Answer, 8th June.

The Scottish Desire and Draught of a Safe conduct.

The Humble Desires of his Majesties Subjects of Scotland.

Reasons and Grounds of the Scottish Desires.

Answer to the Queries propounded by his Majestie.

The Kings Declaration at his Campe, 18th June.

Articles and Heads of his Majesties Treaty with his Subjects at the Campe, 18th June.

The Scottish Armies Declaration concerning their acceptation of the Kings Answer.

A Protestation at the Mercat Croce of Edinburgh, 1st July.

The Kings Articles propounded to our Noblemen by way of Accusation, at Berwick,

19th and 20th of July; and Answer to the foirsaid Articles.

The Scottish Greevances.

Reasons against the Noblemen and others going to Berwick.

Some few of the many Reasons for staying of the Noblemen and others named by
his Majestie for repairing to his Court at Berwick.

The Lord Seyis and the Lord Brookes Answers, to the King, to the three questions
touching the Scottish Rebellion.

Mr. Samuel Rutherford his Letter to Ireland.

Memorandum for the Noblemen, Barrons, and Burgeses, before their voicing the
Act anent their Election.

A Declaration of the Estates of Parliament anent the prorogation of the Parliament.

Copie of the Supplication sent up to Court with my Lords Dunfermling and Low-
down, 1st November; and a Minute of my Lords Dunfermling and Lowdown
their Instructions, subseriyed 31st October.

The Supplication sent from the Estates of Parliament to the King with Mr. William
Cunninghame, 22d November.

A Letter sent from the Convention at Edinburgh, to Court, to the Earle of Traquair,
23d November.

Information and Advertifement for our friends in Scotland, from the Clergie.

No. II.—NOTES UPON THE WORK.

Page 1. THE first part of the Earl of Rothes' Relation consists of the "Historicall Informations of Proceedings," from July to December, 1637, and extends to page 42. This Historical Information (with the exception of "the private passages," already specified, at page 189) was, no doubt, like many of the papers of that period, extensively circulated in MS., but never printed. Two copies are in the Editor's possession, each of them endorsed, in the well-known hand of Johnston of Warriston, "A Relatione of our Busines in 1637 and 1638." In a quarto volume of MS. papers, belonging to Robert Graham, Esq. Advocate, this Information is said to be written "By Rothes, 22 Dec. 1637." See, however, the Author's own statement, at page 52.

In the MS. Collections already described, the Documents, of which a List is given at page 192, are incorporated with this Information; in which several variations occur, and some of these will be pointed out. The first paragraph, for instance, in the printed text, is more condensed than the MS., which commences thus:—

THERE is so great antipathie betwixt the sinceritie of true Religione and the pompe and pride of Episcopall hierarchie, as the blessed Reformers of religione in Scotland did consideralie absolute the government of Bischopes, as incompatible with the sinceritie of divine worship. And since their restitutione and re-entering in this kingdome, their ambitione is growne to such an height as they are not ashamed to change the reformed religion establisched by the lawdable lawes of this realme, and thrust sinceritie out of dores; they have neglected or rather rejected the conditions and caveats of their admiffione, (purposely omitted by them out of the ratification thereof in Parliament) and have sinistrously obtained such an intollerable dominion, that (being comptable to no other judicature but Generall Assemblies, which they have alwayes corrupted or suppressed,) they censure at their pleasure, (no appeal being granted from them to the subjects greaved,) in judicatures not allowed by the lawes of this Estate: yet did they before thir latter times exercise their power somewhat spairinglie, (although by increasing degrees,) onlie in some few perones and in single constitutions. This doing by piecemeal, did make, &c.

Page 2, line 1. "By printing and setting forth the Book of Canons," &c.—The volume thus referred to was published under this title:—"CANONS AND CONSTITUTIONS ECCLESIASTICALL, gathered and put in forme, for the Government of the Church of Scotland. Ratified and approved by his Majesties Royal Warrant" (23d of May, 1635); and ordained to be observed by the Clergie, and all others "whom they concerne." Aberdene, imprinted by Edward Raban, 1636, 4to, pp. 43. By these Canons the whole structure of ecclesiastical policy observed in Scotland was at once overturned. Bishop Juxon, in a letter to Maxwell, Bishop of Ross, 17th February, 1635-6, says, "With your letter of the 6th of this month, I received

your Book of Canons, which, perchance, at first, will make more noise than all the cannons in Edinburgh Castle." But the observance of them not being strictly enforced, no public disturbance was raised, as anticipated. Baillie refers to a letter written by him on the 6th of March 1636, "at the first publishing of the Book of Canons."—(MS. Letters, i. 105.†)

Page 2, line 8.—Proclamation, 20th October.—This is a mistake in the Manuscripts. The Act of Privy Council which authorized the Service Book is dated 20th December, 1636, and proceeded upon the King's Letter, 18th October. This Letter, which is preserved in the Register of Privy Council, is also inserted in Baillie's Letters, MS. i. 108, and printed (but not very correctly) in Sir James Balfour's Annals, ii. 224. On the 21st December, the Act of Privy Council was proclaimed at the Cross of Edinburgh "with sound of trumpet," as appears from the attestation of "John Douglas, Maister," on the back of an original copy of the Proclamation, signed by Ja. Prymrois Clerk of the Privy Council, which is in the Editor's possession. The Proclamation itself has been often printed, and is prefixed to the Service Book; but this measure was rather premature, as the printing of the work was not completed till April or May, 1637.

On this subject Baillie writes on the 29th January, 1637 :—" Yet to this day we cannot gett any sight of that book; the reasone some sayes, because our Scottissh editione is not yet compleatly printed; I would rather think that some of our Bishops makes delay, as not being at a full point themselves what they would have in, and what out : I know much of it was printed in Edinburgh before Zuill was a year." (MS. Letters, i. 2.)—In another place, referring to the Proclamation which enjoined "on all subjects, ecclesiastical or civil, to conform themselves to the Liturgy against next Pasche," or Easter-day, the 9th April, he says, "Till that terme there was no diinn, for the books were not printed till Aprile was past; and a while thereafter, no diligence could obtaine a sight of them." (i. 15.)—And again he informs his correspondent, that "It was well near May ere the books were printed; for as it is now perceived, by the leaves and sheets of that Booke, which was given out athort the shoppes of Edinburgh, to cover spyce and tobacco, one edition at least was destroyed; but for what cause we cannot learne, whether because some gross faults was to be amended, or some more novations was to be eiked to it: both reasones are likely; only it is marvellous that so many being conscious of necessity to this deed, the secret of it should not yet come out."—(i. 127.)

Page 3. The tumult in the High Church of St Giles's, Edinburgh, on Sunday the 23d July, 1637, may be considered as the first public manifestation of that hos-

(†) The MS. of Baillie's Letters has been quoted in preference to the printed copy, which consists only of selections; and we are indebted to the Reverend Dr McCrie for the use of the excellent manuscript in his possession. A similar one belongs to the Church of Scotland. It is to be wished, that a work of so much historical value will soon be printed in its entire and genuine form.

tility to the religious innovations introduced under the authority of Archbishop Laud, which being once kindled into a flame, spread like wild-fire through all parts of the kingdom. Although this tumult is but slightly alluded to by Lord Rothes, the Reader may not be displeased with the following detailed account by an anonymous satirical writer, "which was published in writt in August thereafter." It is contained (with occasional variations) in many MSS., and frequently referred to; but, it is believed, has not hitherto been printed.

A BRIEFVE AND TRUE RELATIONE OF THE BROYLE which fell out on the Lords day, the 23d of July, 1637, through the occafion of a black, popifche, and fuperftitious Service Booke which was then illegallie introduced and impudentlie vented within the Churches of Edinburgh.

ALTHOUGH it were more expedient to weepe in fecret then to vent any thing in publick, yet, when Gods Ark is in danger, no pen fhould lye idle. Who has not heard of the abominable Service Booke which hath lately been brought in amongst us, and which, if it get fettling, will fhoulder forth Divine truth? Who is ignorant of the malicious invectives which have been made in pulpets againft all zealous oppofers to fuch unwarrantable devotion? It is a true faying, that fome, in matters of queftion, care not to forgoe the feaft of a good confcience *modo victores abfcedent*, foe they may gaine their fuppofed victorie. I with this may not prove true in fome fiate Divines and temporizing Paftors now-a-dayes. Judge ye, then, if it be time for us to be filent, when Romes favorites are foe foreward for the principles of Poperie.

In the laft Synod, which was holden in the Colledge Church, the Bifhop of Edinburgh and his affociats concluded and ratified be ane Act, that nothing fhould be done anent the faid Booke till September next to come. This protracting of time feemed to be granted as a benefite to the fincereft fort of the Miniftrie, that they might the more rypellie be advifed in giving their full and final answers thereto. Nevertheless, contrare to their owne determinatione, wee may fee how they have anticipat the time. And no mervell: For they who ar falfe to God can never be true to men. But behold how it hes beene received, and what fruite it hes produced!

In the Greyfriars Church, when it was firft prefented, there was fuch a confused exclamacion, fuch extraordinary gazing, (for that was the greateft reverence which was there given to that Babylonifhe fervice,) fuch wringing of hands, and fuch effufione of eye-ftreames, that Mr. James Fairlie, one of the ordinarie paftors, (now Bifchope of Argyle†) was forced to put an end to that patched worke before he had fcarcelie begunne the fame. To make the birth and death day of each corrupt Novatione of alike proximity and nearneffe will prove, I hope, a moft fingular antidot againft all fuch unrighteous proceedings.

In the Old Church there was great malecontentment and a wonderfull flurre: many mouthees were opened to the Bifhops difgrace. "Falle antichriftian," "wolfe," "beiftlie bellie god," and "craftie fox," were the beft epithets and titles of dignitie which were given him. The Dean, Mr. James Hanna, was mightilie upbraided. Some cried, "Hee is a fonne of a witches breeding

(†) "This Prelat having prepared in his house a great feaft for his fellow-Bifhops and others of his black band, upone the eight of August, being the day of his publick inauguration, was fo assaulted with the flames of Vulcans furie, that if the Lord had not had a fpecial regard to good neighbours, his house and all had certainly beene burnt up to afhes."—*Note in the MS.*

and the divels gett. No healthfome water can come forth from fuch a polluted fontaine." Others cryed, " Ill-hanged thee! if at that time when thou wenteft to court thou hadeft beene well hanged, thou hadeft not beene here to be a peft to Gods church this day." One did caft a ftoole at him,* intending to have given him a ticket of remembrance; but jouking became his fafegaird at that time. The Church was immediatelie emptied of the moft parte of the congregation, and the dores thereof barred at commandement of the fécular power. A good Christian woman, much defirous to remove, perceiving ſhe could get no paſſage patent, betooke herſelfe to her Bible in a remote corner of the church. As ſhe was there ſtopping her eares at the voice of popiſche charmers, whome ſhe remarked to be verie headſtrong in the publick practice of their antichriftiane rudiments, a young man fitting behind her beganne to ſound forth " Amen!" At the hearing thereof, ſhe quicklie turned her about,† and after ſhe had warmed both his cheekes with the weight of her hands, ſhe thus ſcrott againſt him the thunderbolt of her zeal:—" Falſe thee! (ſaid ſhe) is there no uther parte of the Kirke to ſing Maſſe in, but thou muſt ſing it at my lugge?" The young man, being daſhed with ſuch ane hote unexpected rencounter, gave place to ſilence in ſigne of his recantatione. I cannot here omit a worthie reproofe given at the ſame time be a truly religious matron; for when ſhee perceived one of Iſhmaels mocking daughters to deride her for her fervent expreſſiones in behalfe of her heavinlie Maſter, ſhee thus ſharpelie rebuked her with an elevated voice, ſaying, " Woe be to theſe that laugh when Zion mournes."

When that forenoones convocatione and meeting was diſſolving, *Togatus Homuncio*, a little man with a gounne, one who of his owne accord had adjoynd himſelfe as a ſpeciall actor in the former ſuperflitious exerciſe, (God's ſervice or worſhip it deſerves not to be called,) got his back bones and bellie full of no ſmall buffeting diſtributions. His gounne was rent, his Service booke taken from him, and his bodie ſo pitifullie beaten and bruifed, that he cryed often for mercie, and vowed never afterwards to give his concurrence to ſuch clogged devotion. The Biſchope, in the meane tyme, thought to have removed himſelfe peaceablie to his lodging, but no ſooner was he ſcene upone the ſtreets, when the confuſed multitude ruſhed violentlie upone him, and furiouslie purſued after him with railing and clodding; and if their hands could have beene als active as their minds were willing, they had doubtleſſe demolifhed the great butt which they aimed at. The Biſhop perceiving himſelf to be the cheefe object of the peoples furie, was forced ſuddenlie to have recourse to a citizens houſe by the way. A female ſervant of that familie, taking notice of his coming, made the dores cheekes and his mouth to be bothe in ane categorie, wherupone his greatneſſe was ſtraitned with ſuch danger, that he had never more neede to have put the Popes keyes to triall. A certane woman cryed, " Fy, if I could get the thropole out of him!" And when one replied, that " Though ſhee obtained her deſire, yet there might perchance come one much worſe in his rounge." Shee answered, " After Cardinall Betoun was ſticked, wee had never another Cardinall ſenſyne. And if that falſe Judas (meaning the Biſhop) were now

(*) There is little doubt that one folding-ftool was made uſe of for ſuch a purpoſe; and if the one commonly called " Jenny Geddes's ſtoole," preſerved in the Antiquarian Society's Muſeum, it was well for the Dean that he had learned to *jouk*, or bow down his head.

(†) " When ſhe heard a young man behind ſounding furth *Amen!* to that new compoſed comedie, (God's ſervice or worſchip it deſerves not to be called,) which then was impudentlie acted in the public ſight of the congregation, ſhe quicklie turned her about," &c.—Balfour's MS., quoted by Mr Brodie, ii. 454.

flobbed and cutt off, his place would be thought so prodigious and ominous, that scarce any man durst hazard or undertake to be his successeur."

These speeches, I persuade myselfe, proceeded not from any particular revenge or inveterate malice which could be conceived against the Bishopes persone, but onlie from a zeal to Gods glorie wherwith the woman's heart was burnt up: for had she not deerned the image of the Beast in the Bishopes bowels of conformitie, shee had never sett against him with such a sharpe tongued assault. Mr. Alexander Thomson, common pastour of the Old Church, and David Mitchell, merchant, were very officious to the Bishope, and backed him the cheefe time of the broyle. Good reason the Bishope make them sharers of his best dainties and delicats, seeing they were content to be sharers of his ignominie and shame.

The Bishope was afternoone accompanied to the Old Church againe with a great gaurd, and the doores were closed, and no women permitted to enter. Mr. Alexander Thomson did read severall collectes of the Service Booke a litle before his afternoones sermon, and if the church doores had not bene well fenced with the Magistrats and utheris, hee had questionles bene pulled out of the pulpit with violence. But if hee continue to read such babbling rapsodies, hee may have just cause to feare that a constrained delay can be no good securitie, and that hee shall get a ragged reward for his ragged service.

About the evening, the Earle of Roxburgh received the Bishope with himselfe in coach, and tooke the protectione of him till he come to the Abbey; but he got many a stone by the way, *propter vicinum malum*, for an ill neighbour. And if the coach had bene alle sensibill as the Bishope was made fearfull, I am sure it would have cryed out with many a bitter lamentation. A Nobleman beholding the numerous multitude which ranne after the coach, tooke occasion thus mirrile to break his silence: "I will writt up to the King, (said hee,) and tell him that the Court is here changed: for my Lord Traquair, Treasurer, used ever before to get the greatest backing, but now the Earle of Roxburgh and the Bishop of Ediuburgh have the greatest number of followers." The Coachman received plenty of hard lapidarie ceyne for his drink silver. And the Bishop was redacted, if all be trew quihilk was reported, to such a point of backside necessitie, that (as may be supposed) hee never in his lityme got such a laxative purgation; for requyrtal of the paines of his open-handed apothecaries, hee franklie bestowed upone them all the gold of his Low countries; yea his Lordships charitie did see farre abound, that hee gave out both his grit and privie seales without gaine. Howsoever it was constantlie affirmed, that when he come out of the coach, he apprehended such danger, (notwithstanding of the guards that was about him,) that no man could endure the flewre nor stinking smell of his fatt carcase. The common proverbe sayeth "That dirt boddeth luck;" but truelie it would appeare that the Bishope, be his cariage, did almost improve the same, for in his late feditie hee was soe assaulted with feare, that he tooke dirt rather as a precedent of some imminent, yea of some incumbent fatalitie. The Bishops footman and his mantled horse received for their Lordlie Masters sake many stonie rewardes upone the hie way that evening: there needed no collectors to gather up the peoples liberalitie at that season; for since the first Reformation of religion, our Prelats and church Canonists got never readier payment.

Frome Stonefield, at the signe of the Flaming Fire which might have burnt up the Bishop of Argylls house, the day of his solemne festivall consecration, being the eight of August 1637.

It may be proper to remark, that Mr Brodie, in his History of the British Empire, quotes the preceding narrative as if written by Sir James Balfour of Denmyln; but in this he certainly is mistaken, as we presume he had no better authority than that a transcript in Sir James's handwriting was among the Denmyln MSS. in the Advocates' Library, which at present is mislaid or lost.

Page 3.—Proclamation, 24th July.—Some notes regarding the subsequent proceedings occasioned by this tumult may be here introduced. It was intended to have illustrated other parts of the text of Lord Rothes's Relation by similar references, or copious extracts from the public records and other original documents; but it was found that any thing beyond partial illustration would have swelled the work to a disproportionate bulk.

In the Register of Privy Council, 24th July, is recorded an Act "anent the uproar on the Lords day, and in the Lords house, of a number of base people, who, in a rude, barbarous, and seditious way, did, with foule mouths and impious hands, oppose themselves to his service," &c. On the same day, an express was sent from the Chancellor Archbishop Spottiswoode and the Bishops, giving an account of that tumult, not without reflections, we are told, on the Treasurer the Earl of Traquair, who was out of town that day. These reflections cast upon Traquair by the Bishops were repaid by him, with interest, declaring the folly and misgovernment of some of the leading men amongst them. (Letter to the Marquis of Hamilton, on the 27th August, in Burnet's Dukes of Hamilton, p. 31; Rushworth's Collect. ii. 391.)—Archbishop Laud, in a letter to Traquair, on the 7th August, speaks of his Majesty having taken it very ill that the business concerning the Service-book had been so weakly carried; complains of the Scottish Bishops not having obtained the concurrence of persons in authority at first to have countenanced the Service; blames them for interdicting the practice till the King's pleasure was known, and for their disclaiming, at a meeting of the Privy Council, "the Book as any Act of theirs, but as it was his Majesties command;" and concludes with asking, "Will they now cast down the milk they have given because a few milkmaids have scolded at them?" Rushworth, ii. 389.

The following extracts relating to this affair are transcribed from the Register of Privy Council:

Apud Edinburgh, 4 August, 1637.

S E D E R U N T.

Chancellor,	Winton,	Dumfreis,	B. Edinburgh,	Justice Generall,
Thefaurer,	Wigton,	Southesk,	E. Gallouay,	Deputie Thefaurer,
Glasgow,	Kingorne,	L. Lorne,	B. Brechin,	Advocat,
Privie Seale,	Annerdaill,	L. Alexander,	Clerk Register,	S ^r R. Gordoun.

THE QUHILK DAY the Missive Letter underwritten, signed be the Kingis Majestie, and direct to the Lords of Privie Counsell, was presented to the saids Lords, and read in their audience. Of the quhilk the tenour followes.

CHARLES R.

His Majesteis
Missive anent
the uproare.

RIGHT Reverend Father in God, and right trustie and welbelovit Confines and Counsellers, and right trustie and welbelovit Counsellers and trustie and welbelovit, We greit yow weill. Having understood that in the churchie upon Sunday last, when the Forme of divine Service appointed to be receaved wes begun to be read in the churchie, a number of rude and bafe people did rise and behave thaimselfes in a most tumultuarie maner, both within and without the churchie, as we doe not doubt but hath beene particularlie made knowne to yow all, whiche is so barbarous, disorderlie and evill, both in itselfe and by the example, that it doeth deserve to be severellie punished. It is Our pleasure that you use your best endeavours to examine who are the authors or actors in that mutinie, and that yow faile not to punishe anie that fall be found guiltie thair of, as yow fall find thame to deserve; and lykwayes that you concurre with the Clergie, by strenthening thame in that, whiche Our auctoritie conferred upon yow may contribute unto thame for settling the said Forme of divine Service both in the said town and other parts, as they from time to time fall require your helpe. Whiche We verie speciallie expect from yow: and so doe bid yow heartlie farewell. Frome Our Mannor at Outlands, the 30th of July, 1637.

Quhilk Missive being read, heard and considderit be the saids Lords, and they advised therewith, The Lords of Secreit Counsell ordanis the persons who are delate guiltie of the said mutinie to be putt to their tryell and punishment.

Apud Edinburgh, 5 Augusti, 1637.

Service Booke.

THE QUHILK DAY the Lords of the Clergie having remonstrat to the Lords of Privie Counsell, That for the glorie of God and more decent performance of his divine Service, and for securing the persons to be employed for officiating the same, that the Toun Counsell of Edinburgh attend upon and meit with the Bishop of Edinburgh, and conferre and resolve with him anent the convenience of tyme when the Service shall begin, and of the assurance to be gevin be thame for the indemnitie of these who shall be employed in the Service. And in the meane time, *that the Ministers shall preach in this subsequent weeke upon the ordinar dayes without Service*, and chioose pertinent texts for disposall of the peoples myndes to ane heartie embracement of the Service Booke, and for clearing and removall of all prejudices and mistakes, &c.

The Lords allowes of their proposition, and accordinglie ordanis the Provost and Baillies of Edinburgh to meit with the Bishop of Edinburgh, and to joyne and concurre with him in all and everie thing that may concerne the provyding of Readers for the Service, &c. &c.

Apud Edinburgh, 9 Augusti, 1637.

THE QUHILK DAY James Cochrane, James Smith, Charles Hamilton, Baillies of Edinburgh, and Mr Alexander Guthrie, Toun Clerk, Compeirand personallie before the Lords of Privie Counsell, and being demanded if, according to the late ordinance and dewtie incumbent to thame, they had provided Readers for officiating the Service in the kirks of Edinburgh upon Sunday next; and if they wer readie to secure and give assurance for the indemnitie of the Bishop of Edinburgh, Ministers and Pastors of the said citie, and of the Readers to be employed for performing and using the Service Booke appointed be auctoritie to be receaved within the saids kirks. The

said Baillies declared that they were most willing to obtemper the Counsellis ordinance; *but that they could not upon so short a time provide understanding and sufficient Clerkis and Reiders, there being none within the citie but vulgar Schoolmaisters, be whome the Service might be disgraced, and his Majesties auctoritie upon their employment receive opposition*; and that they wer content to secure the Clergie in such legall way as the lawes of the kingdome in such a caise will allow, &c.

Page 5.—Supplication of Ministers, 23d August.—The Supplication of Henderfon and two other Ministers of the Presbytery of St. Andrews, praying for a suspension of the Act of Privy Council, 13th June, is printed at page 45, along with "Information for Noblemen," of the same date. The only other Supplications given in at this early stage of the business were from some of the ministers in the Presbyteries of Glasgow, Irvine, and Ayr. Copies of them are contained in Mr. Graham's 4to MS. 109-113. These Supplications, we are informed, were procured "by the diligence of one man, D. D., upon very small or no hope of success." (Baillie's Letters, MS., i. 128.) The person thus alluded to, and whose name occurs frequently in this work, was David Dickson, minister of Irvine, who was successively Professor of Divinity in the College of Glasgow in 1641, and of Edinburgh in 1650,—a man of very considerable learning and reputation. In the year 1622, he was summoned before the High Commission for his non-conformity to the Perth Articles, on which occasion Spottiswoode treated him with great abuse, calling him "a knave, swinger, and young lad; and said he might have been teaching bairns in the school;" all which he took very patiently. At last he said to the Archbishop, "I have been eight years a Regent in the College of Glasgow, and four years a Minister; those among whom I lived know I am not the man you call me. Say to my person what you please; by Gods grace, it shall not touch me," &c. (Calderwood's History, 789-795.) According to Wodrow, on the Restoration, he was ejected from his Professorship for refusing the Oath of Supremacy, and died about December, 1662.

Page 6, l. 4. The Letter from the Privy Council to the King, 25th August, of which the substance is here stated, is printed in Balfour's Annals, ii. 229.

Page 6, l. 19.—Noblemen's letter to Counsellors.—The following letter addressed to one of the Lords of Privy Council, has no date, but unquestionably was written either in August or September, 1637. A fac-simile of it is given in this volume, from the original, which is preserved in the General Register House.

MY LORD,

BEING occasioned to meet with my Lord Burgly, who told me he had wryten to your Lordships anent this Service Book, som ar charged to accept itt, who will put in ther petitions before your Lordships the nixt Counsell; and we most all join to intreat your Lo^{ps} help to keip bak such an unsound piece of work. I will not trubill your Lo^{ps} heir, hoping my Lord Burgly will enform your Lo^{ps} mor largely, only consider ther be things in itt your Lo^{ps} wold be unwilling to heir or practise; and so for your self and use [us] all, bot most for Gods honour, do that which may mak use [us] joy in our interest to be, your Lordships freind and seruant,

ROTHERS.

About the same time, Baillie, in a letter to Dickson, says, "Neglect not to cause Angus and Rothes at least, if no more, to speak plain Scots to my Lord Duke of Lennox and the Thesaurer: What may cost them readily their life and their lands, shall they not use means diligently to avert it? Wherever you go, employ the Supplications of these you know uses to pray in earnest." MS. i. 14.

Page 7, l. 13. The Duke of Lennox posted down from England to attend the funeral of his Mother, who died of a fever, and was buried at Paisley on the night of the 17th September, "without ceremony; for her Husband, mainly by her princely carriage, is more than 400,000 merks in debt." Baillie's MS. i. 23.

Page 7, l. 20. The Supplication of the Noblemen, &c. 20th of September, presented to the Council by the Earls of Sutherland and Wemyss, will be found printed at page 47. The Noblemen who signed this Supplication were Angus, Rothes, Wemyss, Sutherland, Dalhousie, Lindsay, Sinclair, Dalkeith, Balmerinoch, Burleigh, Hume, Cassilis, Lothian, Boyde, Zester, Cranston, Loudoun, Montgomery, Dalzell, and Fleeming.

Page 7, l. 23. The King's letter to the Council, 10th September, and the Act of Council, 20th September, are printed in Balfour's Annals, ii. 232, 233.

Page 8. The Petitions against the Service Book, from the Noblemen, the Towne of Glasgow, and the Presbytery of Auchterarder, being those which were sent to the King, are printed at pages 47, 8. The entire number given in to the Privy Council amounted to 68, of which 46 are preserved in the General Register House. These are all written in much the same strain.

Page 11. The letter from the Baillies of Edinburgh to the Archbishop of Canterbury, dated 19th August, and the Second letter, referred to in the following page, dated 26th September, are printed in Baileynall's Large Declaration, &c. 1639, p. 28-30; and in Rushworth, ii. 393 and 399.

Page 12, l. 17. "Which Supplication," &c. In the Anonymous MS. Collections reads:—"Which Supplication, drawn up by Mr. Alex^r Guthrie, the Towne Clerk, (after the narrative thereof was saye mended,) first by laying some imputation upon the Noblemens presence, and next by the Archbishop of Sanctandros, who would not suffer the ministrie to be called The Clergie, (as a name in his opinion only proper and recipocall to Bishops,)" &c.

Page 13, l. 17. The King's letter 9th October, upon which proceeded the Proclamation of the 17th, is printed in Balfour's Annals, ii. 236. Both are inserted in the MS. copies of Baillie's Letters. The Proclamation is printed in Rushworth, ii. 401, along with two others of the same date.

Page 14. The Provost of Edinburgh here spoken of, was Sir John Hay, formerly Town Clerk of the City, who had obtained the honour of knighthood, and the office of Clerk Register, for his ultra loyalty, and his services in favour of Episcopacy. Some particulars of his subsequent life may be found in Scott of Scottarvet's Staggering State. See also a tract, called "The Beast is Wounded, &c." for some severe insinuations against him.

Page 14, l. 26. In the Anonymous MS. Collections, reads :—" The Provost, Sir John Hay, assured them his Majestie had alreadie appointed the discharge of the Service Booke by Proclamation, which would be found at the chalmers of James Prymrois, Clerk to the Counsell. They sending David Johnston and Robert Keith, merchant, to try the same, found there was never a word of any such Proclamation. The Provost's falsehood, with his flighting of their desires," &c.—In the same MS. page 15, line 4, reads :—" The Magistrates granted this act with no small difficultie in regard of the Provost's averfeness thereto," &c.

Page 15. The Councillors were much alarmed at the great concourse of people who had come to Edinburgh to hear the result of their Supplications, and at the uncompromising spirit manifested against all the innovations attempted to be imposed upon them in divine service. Bishop Burnet alludes to *The New Tumult*, 18th October this year; respecting which some farther particulars are given at page 20 of the present work. See also the Large Declaration, 35-38, and Rushworth, ii. 402-404, in both of which the Proclamation respecting the Tumult has been printed. The Earl of Traquair, in a letter to the Marquis of Hamilton, mentions that the Noblemen and Commissioners seemed " in a very peaceable manner" to give obedience to the tenour of the Proclamation; " but the next day thereafter, the town of Edinburgh, or, as our new Magistrates call it, the rascally people of Edinburgh (although the sisters, wives, children, and near kinsmen, were the special actors) rose in such a barbarous manner, as the like has never been seen in this kingdom," &c. Hardwicke's State Papers, ii. 95.

Page 16. The Supplication of Noblemen, &c. 18th October, is printed at page 49. In reference to the apprehensions generally entertained of Popery being introduced with the new Service Book, Baillie, about this time, says, " I think our people are possessed with a bloody devile, far above any thing that ever I could have imagined, though the Masse in Latine had been presented." MS. i. 25.

Page 17, l. 17. After the words, " his Majesties answer," the Anonymous MS. Collections reads :—" The Earle of Rothes replied, that if their Lordships would be pleased to take the petition to their consideration, they would find the desires thereof most just; which being refused be them for the reason foirsaid, he did secondlie recommend to them that they might be pleased to ponder the importance of the business, and that (so soon as they could with his Majesties permission) they would present their petition to his Royall consideration. The Thesaurer did a little expostulat that so frequent a meeting of Noblemen," &c.

Page 17, l. 29.—" Many of the Petitioners meeting after supper."—Baillie particularly says, " The truth was, that night after supper in Balmerinock's lodgings, where the whole Nobility, I think, supped, some Commissioners from the Gentry, townes, and ministers mett, wher I was (quoth the dog) among the rest. There it was resolved to meet againe, the 15th of November, &c.—For to this houre I cannot learne that any plott or designe hes been laid by one or moe, bot only a resolution taken to make the best use that wisdom and diligence could of every occasion as it presented itself for their maine end, to free us of the Books. In this meet-

ing Loudon and Balmerinoch were moderators: both of them, bot especially Balmerinoch, drew me to admiration; I thought them the best spokemen that ever I heard open a mouth." MS. i. 137.

Page 18, l. 24.—"The thrid meitting, 17th November."—This is evidently a mistake in the Manuscripts for 17th October. See pages 18 and 19. Baillie says, "That dyett I kepted at my Lord Moutgomeries defyre, and my Lord Rothes in-treaty by letter to him." MS. i. 130. Lord Montgomery was son-in-law to the Earl of Rothes, and was Baillie's patron. A minute account of what took place at this meeting, and that in November for choosung Commissioners, will be found in the printed copy of his Letters, i. 16, &c.—See also the note to page 71, l. 1.

Page 19, l. 14.—Supplication, 17th October.—"In the meane tyme they committ the penning of that Complaint to Mr Alexander Henderfone and my Lord Balmerinoch on the one hand; to Mr. D. D. [Dickson] and my Lord Loudon on the other. That night these foure did not sleep much. To morrow two formes were presented to the Nobles, our Westland one was receaved," &c. Baillie's MS. i. 133.

Page 26, l. 11. The four noblemen chosen by the Petitioners to wait upon the Councillors were Rothes, Montrose, Lindfay, and Loudon.

Page 31. Marginal note, 13th October, *erratum* for 13th November.

Page 33. The Declaration of the King's intention, at Linlithgow, 7th December, is printed in Balcanquhall's Large Declaration, p. 46, and in Ruthworth, ii. 408.

Page 34, l. 7. The King's letter to the Council, 15th November, sent with the Earl of Roxburgh, is printed in Balfour's Annals, ii. 237.

Page 34, l. 27. The four noblemen and the baron here mentioned were Rothes, Montrose, Lindfay, Loudon, and James Lyon of Auldbar.

Page 36. The Bill or Supplication, intended to have been presented by the Supplicants to the Council at Dalkeith, on the 12th December, is printed at page 50.

Page 37. Thursday, 14th December. The MS. reads by mistake, Thursday, 13th December. It may be mentioned, that a few such palpable mistakes, and some occasional peculiarities of orthography, have been corrected, but too unimportant to require the slightest notice. A letter from the Council to the Earl of Stirling, dated 14th December, will be found printed at page 44.

Page 37, l. 22. "Sent out two of their number," viz. the Earl of Southesk, and Lord Lorne.

Page 38. The Supplication referred to under the 12th December, and the Declinatour, given in along with it, on the 21st of that month, are printed at pages 50 and 51.

Page 38, l. 24. The Earl of Loudon's "eloquent speech" is reported at considerable length in Sir James Balfour's Annals, ii. 240-246, in Baillie's MS. i. 67-71, and in a MS. Collection belonging to A. G. Ellis, Esq. The speech of Mr. James Cunningham, Minister of Cumnock, is also reported by Balfour and Baillie; the lat-

ter of whom says of that of Mr. Thomas Ramfay, Minister of Dumfries, that "he spoke very pathetically to the same fence, and in very eloquent termes." ii. 249.

Page 41.—"In this short Relation," &c.—In the Anonymous MS. Collections, this paragraph is given at the commencement of the Information, in the form of a Preface "To the Christian Reader." The conclusion, however, is thus altered, after the words (line 12, page 42), "bot still seeking reemad by law,"

"were alwayes in hope to have obtained the same. But perceaving themselves frustrat of all legall redresse, they were moved to bethink the renewing of their Nationall Covenant with the Lord, since which time they have perceaved the good hand of God so conducting them, that they found themselves ever accompanied with the passages of a Divine Providence."

Page 43, l. 10. This sentence is corrected from MS. [C]; in MS. [A] it reads, "to be advertised about reading the book, unfound philosophie and unfound divinitie."

Page 44.—The Council's Letter, and the Supplications, &c. p. 45 to 51.—These documents might have been thrown into this Appendix, had it not been thought adviseable to retain the Author's arrangement, even where alterations might have been made with advantage.

Page 53, l. 7.—"The retorne of Councill and Sessione."—According to the Proclamation mentioned at page 34, the Court of Session was appointed to meet at Stirling,—a mode of inflicting punishment upon the town of Edinburgh, by removing thence the Courts of Justice: but, on this occasion, we are told that "the Lords of Session obeyed, but the Advocates of any note would not goe thither."

Page 53, l. 12. Baillie, referring to this journey of Sir Robert Spottiswoode, President of the Session, states, that "when he came to the King, they say his information was so hard that the King was pensive, and did not eat well; but that my Lord Haddington, hearing of his misreports, was bold to put in the King's hand a late missive which he had got from his good-brother Rothes, having a short Information of the countrey's proceeding, for the absolute truth whereof Haddington undertook. The reading of this contented somewhat the King; whereupon his mind being disposed towards the Thesaurer, my Lord Duke of Lennox wrote for him to court, and thereafter the King himself, and Marques of Hamilton also." MS. i. 150.

Page 53, l. 17. The Treaasurer, the Earl of Traquair, in his journey to London, we are told, "was almost drowned; he came out of a water, hinging be his horse taill.—They say, that [the Earl of] Stirling is like to be disgraced; that the King being malecontent that he was not more tymously informed of all thir matters, the Thesaurer shew, that though they were discharged publicly to send any word of that business, yet they had acquainted ever privatlie the Secretar, that he might advertise. This the Secretar granted; bot shew that he was hindred by Canterburrie to present the King some pieces. Canterburrie denied this, hoping to bring Stirling off another way, though in this he succumbed: bot all this is bot uncertaine rumors." Baillie's MS. i. 151.

Page 54. This Second Information in Mr. Graham's MS. volume, (which appears to be chiefly in the handwriting of "Mr. Jo. Smith," who signs, at p. 182, the Confession of Faith and National Covenant,) has the following title: "Ane Hiſtoricall Information concerning the Supplicants proceedings from the Theſaurers reſturne in February, 1638. (On the margin) By Rotheſe, March 3, 4, 1638."

Page 55, l. 26.—"Eſpeciallie that of no alteration."—This refers to a paper contained in the MS. Collections, entitled, "Reafones of no alteratione," &c., in the words of the Supplicatione, 14th December, as ſtated at page 37.

Page 59.—"Report of violence to be uſed."—"The Theſaurer, finding his purpoſe revealed, intended to have the Proclamation precipitat. He had before perſuaded the nobilitie that only two ſhould go to Stirling, where he aſſured no prejudice ſhould be done to their cauſe. But it was found he intended to keep theſe two, Rothes and Lindſay, priſoners in the Caſtle of Stirling; therefore the nobilitie reſolved to goe together." Baillie's MS. i. 153.

Page 62, l. 30. This diſdainful mode of ſpeaking of the Marquis of Huntly's power and influence is alſo adopted by Baillie, who ſays, "The man is of a good diſcourage; bot neither truſted by King nor country. His power, alſo, is contemptible in this cauſe. Many of his name hes ſubſeryved: himſelf and ſundry of them are overburdened with debt. Forbeſes, Fraſers, Grants, McKenzies, McCayes, McIn-toſhes, McClaines, McDonalds, Irwines, Inuiſes, let be all the Campbells to a man, are zealous ſubſeryvers; and a fifth part of them were able to make a diſjune of all the Gordouns when at their beſt; albeit now the moſt of the Gordouns depends on Sutherland, as all in the South depends on Kenmure." MS. i. 356.

Page 63. The Proclamation at Sterling, and Proteſtation, 19th February, are printed in the Large Declaration, p. 48-50, and in Ruſhworth, ii. 731.

When the news reached London of the Supplicants' Proteſtation at Stirling on the 19th February, we are informed, that, on the 11th March, "Archibald, the King's fool, ſaid to his Grace the Archbiſhop of Canterbury, as he was going to the Council-Table, '*Wheas Feule now? Doth not your Grace hear the news from Stri-veling about the Liturgy?*' with other words of reflection. This was preſently complained of to the Council, which produced the following Order:

"At Whitehall, &c. It is this day ordered by his Maſteſty, with the advice of the Board, That Archibald Armeſtrong, the Kings Fool, for certain ſcandalous words of a high nature, ſpoken by him againſt the Lord Archbiſhop of Canterbury his Grace, and proved to be uttered by him by two witneſſes, ſhall have his coat pulled over his head, and be diſcharged of the King's ſervice, and baniſhed the Court; for which the Lord Chamberlain of the Kings houſhold is prayed and required to give order to be executed. And immediately the ſame was put in execution."

In a tract, entitled "Archy's Dream, ſometime Jeſter to his Maſteſtie, but exiled the Court by Canterburie's malice," printed 1641, 4to, the circumſtance of his jeſting-coat being torn off his back is mentioned. It is alſo alluded to in another ephemeral

production called "The Scots Scout's Discoveries, 1639," with the following addition :—"About a week after, I met Archie at the Abbey [Lambeth ?] all in black. Alas, poore foole, (thought I,) he mournes for his country ; and askt him about his coate. 'O,' quoth he, 'my Lord of Canterbury hath taken it from me, becaufe either he or some of the Scotch Bishops may have use for it themselves ; but hath given me a black coat for it, to colour my knavery with it.'"

P. 65, l. 24. The Declinatour and Proteftation at Stirling, 20th February, are printed at page 85.

Page 66, l. 14. The following extract from Baillie refers to Hay's misrepresentations of Traquair :—"The Thesaurer at this tyme was much, as is thought, threatened by the King ; and it is no marvell : for, beside other misinformations, Sir Thomas Thomfone, the Register's good-brother, had written to Canterburrie of him exceeding maliciouslie ; which letter he gott, and challenged on his calumnies ; bot imputed them mainly to the Register, with whom he bears almost professed enmitie. Wigton being taxed in that misinformation, took occasion in the Council-day at Linlithgow, upon some idle words of the Register's to fall on him with most opprobrious words, as a base villain and pultroon, whom he threatened to stick, but was holden off him." MS. i. 145.

Laud complains of Traquair having, on more than one occasion, "played fast and loose with him." But Clarendon vindicates him from the charge of duplicity in managing the King's affairs. See also the printed copy of Baillie's Letters, i. 28, 34. Several important and interesting letters, written by Traquair, in 1638, to the Marquis of Hamilton, are contained in Hardwicke's State Papers, ii. 97-112. In them he repeatedly laments the perplexing situation in which he was placed ; upon the one hand being "persecuted by the implacable under-hand malice of some of our Bishops ; and in no better predicament with our Noblemen and others who adhere to their course."

Like many of the courtiers of his time, Traquair experienced the mutability of fortune, being impeached for high treason, deprived of his offices, his estates sequestered, and he himself forced to leave the country. In a 4to tract, printed in 1641, after mentioning his having fled to France, "thinking to escape the disgrace as well as the death which he had deserved," it is added, "but he was much deceived in the trusty Scots ; for, though he fled from death, yet they sent his shame after him. On the very same day on which our King came to his pallace at Edenborough (which was Fryday night last), was his effigies brought upon the scaffold, and there they cut off its wooden head." He died in great poverty in 1659. See Scott's *Staggering State*.

Page 66, l. 24. The Proteftation at the Crofs of Edinburgh, 22d February, is printed at page 86. The original document, written on vellum, was presented to the Society of Antiquaries of Scotland, by James Swan, Esq. in April, 1828.

Page 71, l. 1.—“The whole prime men of everie shire.”—The formation of THE TABLES took place in November, when the Commissioners were chosen, and their numbers now enlarged—a measure suggested by their opponents, but by which the power and influence of the Supplicants were preserved, and the dangers attending tumultuary meetings avoided. Row speaks of the Commissioners as “fitting in foure severall rounnes, at severall tables, in the Parliament House: hence (he says) they were called *The Tables*.” MS. Hist.

Page 71, l. 17.—“The renewing of the Covenant.”—As stated in the text, Henderfon, and Johnstone of Wariston, were appointed to make such additions to the National Covenant of 1580 as applied to the times; and these were revised by Rothes, Loudon, and Balmerinoch. That part which contains the references to Acts of Parliament in favour “of our Confession against Popery,” beginning, “LIKEAS MANIE ACTS,” &c., was drawn up by Johnstone; the other, which applies to the circumstances of the Supplicants, and in which the chief difficulty lay, beginning, “IN OBEDIENCE to,” &c., was the composition of Alexander Henderfon.

Page 74, l. 15. The Objectors, whose names are left blank in the MS., are described as “three or four brethren of Angus.” Henry Futhie, who is mentioned, received a public rebuke at the General Assembly, 1643. (Index of the Unprinted Acts.)

Page 75, l. 12. Mr John Adamson was Principal of the College of Edinburgh.

Page 83.—“First letter,” &c.—The original letter, dated 13th March, 1638, is preserved in the General Register House. It is addressed, “To our most noble Lords The Duke of Lennox, the Marquess of Hamilton, and the Erle of Mortoun—These” Among the Noblemen who sign it, (see the fac-simile at page 217,) the name of Dalhousie occurs, instead of Melvill and of Forrester, as in the printed copy. The answer to this letter is printed at page 98.

Page 84. These Instructions to Sir John Hamilton of Orbiston, Lord Justice-Clerk, 5th March, here inserted, are printed in Burnet’s Dukes of Hamilton, ‘from the original yet extant,’ signed by the Privy Councillors, and ‘the Lords of the Clergy.’ Burnet also prints a private letter to the King, signed by Traquair and Roxburgh, and another from the Council to the Marquis of Hamilton, both dated the 5th March. See also Balfour’s Annals, ii. 258, and Rushworth, ii. 742.

Page 90, l. 2.—“The Confession of Faith, &c., already printed.”—The edition here referred to, is entitled, “THE CONFESSION OF FAITH OF THE KIRK OF SCOT-“ LAND. Subscribed by the King’s Majestic and his Householde, in the yeare of God “ 1580. With a Designation of such Acts of Parliament, as are expedient, for juste-“ fying the Union, after mentioned. And subscribed by the Nobles, Barrons, Gen-“ tlemen, Burgeses, Ministers, and Commons, in the year of God 1638.” Pp. 15. 4to, without printer’s name, place, or date.

Page 90.—“The Lawfulness of the Subscription to the Confession of Faith.”—

This paper was written by Henderfon. The following letter of the Earl of Rothes to Johnstone of Wariston, requesting a copy to be sent him, is printed from the original in the Advocates' Library, Wodr. MSS. Folio lxvi. 48.

RIGHT AFFECTIONAT AND WORTHIE FREIND,

I HAVE written to my Lord Darie to receive from yow a copie of our Defenses for the Lawfullnes of Subscription against the objections made against it, as it is a Band, and so seems to fall within the compass of the Act of Parliament 1585; and as it contains the forbearance of some things established by Act of Parliament. Yow may enclose the copie in a letter, and send it with my letter to him. I have likeways written to him to consider if thair be any other thing el[. . .]ble therein, and write to yow that yow may be thinking thairupon for d[. . .], which I have desired him to doe also. I desire yow earnestlie, as yow [. . .] your owen credit, me, the menn, and the good of the cause, that yow reveale not to Balmerinoch, London, nor arie else, what is or hath bein my dealing with my Lord Darie and my Lord Advocate in this busines. I know they will write to me, or to yow upon my word, what they will not do to arie in the world besides. Let me heare from yow with this bearer what yow have bene doinge since my parteing. I heare that Sir Thomas Nicholson hath given a favourable declaration for our proceedings, in answer to the Kings Queres: Trie if it be true, and if Steuart hath done the like. Because I have forgotten the particular Queres, yow will do well, if your memorie serve, to putt them downe in write and keep them beside yow, while I come over. If your memorie faile, yow may help your self with a second sight of them, by yow know whom. I have heard that the Bilhop of Ross is persecute in the North, and will be forced to come South: Let me know if yow have heard anie certaintie for it. As also if the whole Canongait have subscribed with their minister, Mr Matthew Weemes, and if Mr Andro Fairfole have made offer thereof; for so I have heard. It is good to take all in, that there may be no Kneelers in or about Edinburgh bot Mr David Michell.—No further, I rest

Your affectionat friend,

ROTHES.

Leslie, 18th March, 1638.

[*Addressed*] To my affectionat and worthie freind, Mr Archibald Johnson, Advocate—These.

Page 95, l. 32.—“To tell the truth to the King.”—The Lord Lorne, here mentioned, is better known as the Marquis of Argyll, who was beheaded in 1661. At this time he was a Privy Councillor, and beginning to incline towards the Suppliants. Baillie, on the 5th April, says, “We tremble for Lorne, that the King either persuade him to go his way, or find him errands at Court for a long time.” And in July he adds, “The plainness of Lorne is much talked of. Nothing he is said to have dissembled of all he knew of our Countrie’s grievanees, of his own full mislike of the Bookes, of the Articles of Perth, of the Bishops’ misgovernment, of his resolution to leave the kingdome rather than consent to the pressing of any other, let be of himself, or his servant, with these burdens which were against conscience.”

Page 96, l. 10.—“The least that can be asked,” &c.—These were the Eight De-

mands which Sir James Balfour says, the Earl of Traquair carried with him to Court, in order "to deall for his Majesties assent thereto, before any pacifications of the present commotions could be looked for;" but he adds, that partly through the influence of the Bishops, "all Traquairs grate undertakings turned into smoke and evanished quyte."

Page 100. The "Articles for the present Peace of Scotland" are printed from the original, in Burnet's *Dukes of Hamilton*, p. 39; and he mentions the letter that accompanied the paper, signed Rothies, Caffillis, and Montrose, dated 28th April, as then extant. He also inserts (p. 41) the Complaints and Grievances of the Scottish Bishops, under the title of Articles of Information to Mr Andrew Learmonth, &c.

Page 101, lines 24 and 29, for 'Canons,' read 'cautions.'

Page 103. Eleazar Borthwick appears to have been much employed by the Supplicants in negotiating their affairs, being "a man well travelled and fit for such a work." He must have been a clergyman, for, according to Bishop Guthrie, on the removal of Henderson to Edinburgh, Borthwick was presented to the church of Lenchars; "but before he had remained two months at the said kirk, he was, by the Leaders of the cause, quietly sent back again to London, (where he had formerly stayed some years trafficking with Non-conformists,) to prosecute that trade; where he stayed till he died." *Memoirs*, 12mo edit. p. 149. See also Lord Hailes's *Memoirals*, &c. of Charles I. p. 66.

Page 107, l. 23.—"The Lord Rae subferyvit," &c.—In a letter dated 11th July, 1638, (in Hailes's *Memorials*, p. 39,) it is said, "You must be wary of trusting a Lord amongst you called the Lord Rae, he who accused the Marquis of treason long since. I hear it secretly, that although he have subscribed and sworn the Covenant, yet he hath declared by letters to the King, he doth it only to be the better enabled to do the King service, by such knowledge of resolutions as (being one of their selves) he may be more fully instructed in: he will be a Judas as far as he can."

Page 112, l. 16. "In the end of May," &c. to Page 116, line 4. These pages, according to directions given by the Author, should have been transposed, and printed near the foot of page 129. By the same arrangement, Page 116, line 5, to Page 117, line 35, should have been transposed to the middle of Page 141. From Page 117, line 36, to Page 121, line 32, on to the middle of Page 143. And from Page 121, line 33, to Page 123, on to the foot of Page 152.—The Reader, by attending to these directions, will have a more complete view of public events during the months of May and June 1638, than by observing the order of the MSS., which has been adhered to in the printed text.

It is more than probable that the Earl of Rothies left his *Historical Relation* in an unfinished state. Although the preceding alterations might easily, and perhaps with propriety, have been made, the Reader will observe, that the Author, after relating the proceedings to the 30th of June, returns back, at page 157, to the 19th of the

fame month, and enlarges and amplifies some of his details, in such a manner as to lead us to infer that he had not proceeded beyond the middle of June, 1638, in revising and incorporating his materials. On the whole, it was conceived to be the safest mode to print the work after the order of the MSS., retaining the Author's marginal directions, pointing out some of his intended changes in arrangement; but which obviously could not, in several instances, be now made, without interfering more with the text than an Editor would be warranted in attempting.

Page 115, l. 28. Burnet says, that on the Marquis of Hamilton's entry to Edinburgh, on the 9th June, "They were guessed to be about 60,000 that met him, the greatest number that nation had seen together of a great while, among whom there were about 500 ministers." *Memoirs of the Dukes of Hamilton*, p. 54. Other writers confirm the more moderate computation in the text.

Page 116, l. 6. 'Short speech,' by Livingston. See note upon page 143.

Page 117, l. 5.—"Advertisement," &c.—In Baillie's MS. it is called "The Petition to the Counsellors for Subferyving," and is said to have been "penned by Mr D. Dick," or Dickson.

Page 123. Supplication to his Majesties Commissioner. See Balfour's *Annals*, ii. 266.

Page 127, l. 5. Contribution of a dollar for 1000 marks free rent. See page 80.

Page 128, l. 17. The Marquis of Hamilton appointed Commissioner. The Reader is referred to Bishop Burnet's *Memoirs of James, Duke of Hamilton*, (at this time Marquis,) for much curious and important information with regard to this period. Burnet prints the King's private Instructions to the Marquis previous to his coming to Scotland as Commissioner, with various original letters from the King, in the months of June and July, (page 55, &c.) See also Mr Brodie's remarks on these letters. (*History*, ii. 481-485.)

Page 129, l. 27.—"Reafons," &c.—These, and another set of "Reafons to forbear attending these that are not joyned in Covenant with us," are inserted in the MS. copies of Baillie's Letters. He says they 'favour much of Rothes's pen.'

Page 141, l. 3. The speech to the Marquis of Hamilton, which W. Livingston, minister of Lanark, delivered in private, is printed at page 116. He was prevented delivering it in public, as mentioned at page 115, in consequence of an insinuation that it contained invectives against the Bishops; and the Commissioner said, That harangues in fields were for princes, and above his place. Livingston was pitched upon to make this public welcome to the Commissioner, as being "the strongest in voice and austere in countenance of us all." Baillie's MS., i. 358.

Page 151.—"Reafons against the rendering of our sworne and subscribed Confession of Faith." 4to, 2 leaves.—This paper was written by Henderson. Line 4, "Not a man joyned but would rather quitt his lyfe," &c. A writer of a different complexion, also remarked of the Supplicants, "that they would rather renounce

their Baptism than renounce it, or abate one word or syllable of the literall rigour of it." Large Declaration, &c., p. 88.

Page 153, l. 16. Balcanquhall, in the King's Declaration, p. 88, says of the Supplicants at this time, "Nay, they grew to that rage, that on the Saturday having knowledge that our Commissioner (attended with our Councell) was to heare divine Service and Sermon in our owne chappell, at our own palace, the day following, being Sunday, they sent him word, that whosoever should read the English Service in our chappell, should never read more, and that there were a thousand men provided for the disturbance of it; which forced our Commissioner that night to repaire to Dalkeith."

Page 167, l. 8.—"The hard temper of sum noblemen, especiallye of Lindfay and Loudon."—Sir David Lindfay of Balcarras was created Lord Lindfay by Charles I. in 1633, and his son raised to the dignity of Earl of Balcarras, by Charles II. in 1651.—John, Earl of Loudoun, one of the most eloquent and conscientious of all the noblemen who took an active and influential part in public affairs, was afterwards (13th September, 1641) appointed Lord Chancellor of Scotland; but although he held this high office to the end of Charles's reign, and suffered much for his loyalty during the Protectorate, he continued a firm and decided friend of Presbytery. On the Restoration of Charles II. he was prevailed upon to resign the Office of Chancellor, it being certain that he would never concur in the attempt to set up Episcopacy in Scotland. He died 15th March, 1663. Crawford's Lives, p. 406.

Page 171, l. 14. See page 155, line 5, &c. and the unfavourable character given of Sir William Boswall, in Baillie's Letters, printed copy, i. 65.

Page 172, l. 2. The President, Sir Robert Spottiswoode, was second son of the Archbishop of St. Andrews. Scott of Scotstarvet speaks of him as "ane able scholar, and no wayes to the flight of the world evill inclyned; only he followed his Father's way, as in his life," that is, in his public conduct as well as in his mode of living. He was taken prisoner at Philiphaugh, 15th August, 1645, and being tried and condemned for Treason by a Committee of the Scottish Parliament, he was beheaded at St. Andrews, on the 20th of January, 1646. (Notes to Lord Hailes's Catalogue of the Lords of Session.)

Page 172, l. 25.—"That day the Commissioner," &c.—Sir James Balfour, along with this paragraph, which he inserts in the form of the Marquis' speech to the Lords of Session, has added the letter to the King, written on the same occasion by several of the Nobility, 2d June. (Hist. Works, ii. 273-276.) The letter is also printed in the Large Declaration, p. 91.

Page 173, l. 17.—"The Protestatione is in print;" being a 4to tract of 14 pages, "printed in the year of God 1638." It is also printed in the Large Declaration, p. 96, along with the Proclamation, dated 28th June, and in Rushworth, ii. 750.

Page 173, l. 33. 28th June *erratum* for 28th June.

Page 174. The Act of Council, 5th July, here printed, is not contained in the Register of Privy Council, a circumstance thus accounted for by Mr John Row :— “ Of this foresaid Proclamation the Counsell past ane Act of approbation, wherwith the Supplicants were yet more grieved : Wherefor they presented a Supplication to the Commiffioner, containing the reasons of their just exceptions against the Proclamation and the Counsell's Act; the which, when the Counsell had considered, *their Act, not yet put upon record, was either torn or put aside.*” (Suppl. to the Lift. of the Kirk, MS.) See also page 181, l. 5, of the present work.

Page 174, l. 6.—“ The report of this Act,” &c.—Baillie says, “ The Nobles at dinner are informed that the Commiffioner was about to get the Council to approve the Declaration as satisfactory; whereupon they presently fell a writing these Reasons which ye have at [p. 174]; and after dinner went to his Grace, Rothes, Montrose, Lowdon, with doubles of these Reasons, for staying the Councillors from making any approbatorie Act. There past between them some high words. Lowdon told his Grace roundlie they knew no other bands betwixt a king and his subject bot of religion and lawes; if these were broken, men's lives were not dear to them: boasted they would not be; such fears were past with them. Notwithstanding, the Commiffioner prevailed so far with the Counsellors, that they all, except Lorne and Southesk, did, in their chamber, not publiclie at the Counsell-table, sett their hands to this Act, which ye may read with admiration.” (MS. i. 370.) At this time Baillie remarks, that “ this manner of dealing hes made us speak out that which was before bot in the minds of some very few, our right from God, which the Princee may not in law or reason take from us, to keep a Generall Assemblie. This is the highest stryng yet our necessities has drawn on us to strike on.” (MS. i. 371.)

The Relation by the Earl of Rothes may be considered as terminating the 8th of July, 1638, when the Commiffioner, the Marquis of Hamilton, proceeded to London, and obtained for the Supplicants the attainment of their desires in calling a General Assemblie, which was held at Glasgow, in November 1638, and a Parliament, at Edinburgh, in August 1639.

There is no necessity in this place to bring forward any particulars of subsequent events; although the letters on pages 185 and 186 to the Magistrates, Ministers, and Professors of Aberdeen, written in August, might seem to involve some account of the deputation sent from the Tables at Edinburgh. Their proceedings, however, are well known, and are detailed at length by Baillie and Spalding, as well as by later historians. The following letter from the Earl of Rothes is addressed to Patrick Leslie, one of the leading Covenanters there, evidently the same person who was Provost of Aberdeen in 1634; but whose election was annulled by warrant of the King. (Spalding's Annals, i. 32, &c.) It is printed from the original, which is in private hands.

LOVING CUSIN,

BECAUS your town of Aberdein is now the only bruch in Scotland that hath not subſcryued the Confeſſion of Faith, and all the good they can obtain thereby is, that, if we fail fairly, as ther is very good conditions offered, they ſhall be onder perpetuall ignominy, and the Doctors that ar onfound puniſhed be the Aſſembly; and if things go to extremity becaus they reſuſe, and in hops of the Marquiſe Huntly his help, the King will parhaps ſend in ſom ſhip or ſhips and men ther, as a ſur place; and iff that be good for the countray, judg ye of itt. Itt is bot a fighting againſt the High God to reſiſt this cours, and itt is ſo far advanced allready, that, on my honour, we could obtain w^t conſent; 1. Biſchops limitted be all the ſtrait caveats; 2. To be yeirly cenſurable be Aſſemblys; 3. Articles of Perth diſcharged; 4. Entry of miniſters fre; 5. And Biſchops and Doctors cenſured for bygon uſurpation, either in teaching falſ doctrin or opreſſing ther brethren. Bot God hath a very greit work to do heir, as will be ſhortly ſein, and men be judged be what is paſt. Do ye all the good ye can in that town and in the countray about: ye will not repent itt; and attend my Lord Montroſe, who is a noble and trew-hearted cavalier. I remitt to my brother Arthur to tell you how reaſonabl the Marquiſe Huntly was being heir away; he was bot ſlighted be the Commiſſionar and not off his Priui Councell. No further.

I am your freind and cuſin,

ROTHES.

Leſlie, 13th July, 1638.

[*Adreſſed*] To my loveing Conſigne Patrick Leſlie of Whitehall. Theſe.

The paſſage in the above letter, reſpecting the Marquis of Montroſe, who at this time profeſſed great zeal for the Covenant, is worthy of notice. A ſimilar encomium on his diligence and conſtancy for the good cauſe is contained in a letter from Johnſtone of Warlſton to Lord Johnſton, 2d January, 1639, printed in Hailes' Memorials, &c. 52. Lord Rothes ſeems to have had conſiderable influence over him, and is expreſſly ſaid to have been the means of at firſt gaining him to the popular party. "When the caniniſſes of Rothes (ſays Baillie, in April, 1645) had brought in Montroſe to our party, his more than ordinare and civile pride made him very hard to be guided. His firſt voyage to Aberdeen made him ſwallow the certain hopes of a Generallate over all our armies. When that honour was put upon Leſley, he inconſtuent began to deal with the King," &c. See the printed Letters, ii. 92.

Another ſupporter of the Covenant, and one of the Commiſſioners to the Weſtmiſter Aſſembly, who likewiſe aſſumed a very different character, was John Lord Maitland, afterwards Duke of Lauderdale. After the Reſtoration, Baillie addreſſed him in very plain terms: "If (ſays he) you have gone with your heart to forſake your Covenant, to countenance the re-introduction of Biſhops and Books, and ſtrengthen the King by your advice in theſe things, I think you a prime tranſgreſſor, and liable among the firſt to anſwer to God to that great ſin." Yet it is worthy of remark, that, notwithstanding his ſubſequent conduct, Biſhop Burnet aſſures us the Duke "retained his averſion to Charles the Firſt and his party to his death."

Of all the perſons mentioned in the courſe of Lord Rothes' work, the one whoſe



Charles R.

Sanctiangel

Traguard

Sterling

Hamilla

Reinhardt

Wheeler

Hadinton

Loime

Lyman Jones

Montrose

Wheeler

Levan

Cassilis Boyd Gude

Sinton

Wheeler

Dalhousie

Fleming

Torres

Pringle

Aslie

Lumber

Wheeler

St. Maitland

Transome

Wheeler

Edw. L. Gie

Megand Calderwood

Red Henderson

Re. Jones

Samuel Zink

David Ardy

Robert Balle

Wheeler

Honston

Geo. Gillespie

Thos. Stinson

Robert B. Fair

character stands most pre-eminent and unfulfilled is Alexander Henderfon, minister of Leuchars in Fife, afterwards one of the ministers of Edinburgh, and Rector of the University. His prudence, learning, and eloquence eminently qualified him to take the lead in the affairs of the Church; and his death, on the 19th August, 1646, aged 63, was universally lamented. Baillie, in a letter to him during his last illness, 13th August, says, “Your weakness is much regretted by many here. *To me it is one of the sad presages of the evil coming,*”—a sentiment also expressed in simple but impressive lines on his monument in the Greyfriars’ churchyard:

READER, bedew thine eyes
Not for the Dust here lyes;
It quicken shall again,
And aye in joy remain:
But for thyself, the Church, and States,
Whose woes this Dust prognosticates.

Baillie, afterwards, alluding to some false reports respecting his death (See Lord Hailes’ Note, Memorials, &c. p. 184), says, “That man died, as he lived, in great modesty, piety, and faith.” And on another occasion, the 6th August, 1647, when giving a report to the General Assembly of the labours of the Commissioners to the Westminster Assembly, he thus emphatically alludes to the loss the Church had sustained by the death of Henderfon, who had been one of these Commissioners:

“For my Colleagues, may I make bold, with permission, to offer some few of my thoughts. That glorious Soule of worthy memory [Mr. Henderfon], who now is crowned with the rewarde of all his labours for God and for us, I wishe his remembrance may be fragrant among us so long as free and pure Assemblies remaine in this land, which we hope shall be to the coming of our Lord. You know he spent his strength, and wore out his dayes; he breathed out his life in the service of God and of this Church. This binds it on our backe, as we would not prove ungrate, to pay him his due. If the thoughts of others be conforme to my inmost fence, in duety and reason he ought to be accounted by us and the posteritie the fairest ornament, after John Knox of incomparable memory, that ever the Church of Scotland did enjoy.” MS. ii. 292.

On the opposite leaf is given a FAC-SIMILE of the Signatures of the principal Persons who are mentioned in the course of this Work. At the top are those of the King; Spottiswoode, Chancellor; Traquair, Treasurer; Stirling, Secretary; and Hamilton, Commissioner. The rest of the names are chiefly those of the leading Supplicants among the Nobility and Clergy. The Signatures of Montrose and the other fifteen Noblemen on the right hand side of the page, are given from the letter printed at page 83, the original of which, as mentioned in the Notes, is preserved in the General Register House. The other Signatures are given from various original letters or papers not necessary to be specially noticed.

No. III.—COMMUNICATION FROM FREDERICK MADDEN, ESQ.
BRITISH MUSEUM.

I HAVE now examined the MS. you refer to, (MS. Sloane, 650,) which is a small quarto, consisting of various tracts on paper, all more or less (with the exception of the three last) relative to the proceedings in the Scotch Kirk and Assembly in 1637-1639, written in contemporary hands. I shall proceed to give you a detail of the Contents.

1. fol. 1. A Short Relation of the Passages lately fallen out in Scotland, pp. 23.
2. f. 13. Popish Government in Scotland, pp. 8.
3. f. 17. Answers to the particulars propounded by his Maties Comissioners, pp. 5½.
4. f. 20. Letter from the Council, dat. "Haliryd Houfe," 17th Nov. 1637, with the Copie of the Commission given by slyres, tounes, and presbiteries, pp. 8½.
5. f. 25. Notes of the proceedings of the meeting of the Nobility, Gentry, Ministry and Burrowes in Edenb^r. 15 Nov^r. A^c. 1637, pp. 15.
6. f. 33. Information [of] Proceedings from the 6th Decemb. to the 21, 1637, pp. 7.
7. f. 37. Declaration or Protestation of the Noblemen, &c. against the Popish Religion, pp. 4.
8. f. 39. Instructions from his Maties Councell to the Lord Justice Clerke, whom they have ordaind to goe to Court for his Maties service, pp. 3.
9. f. 41. The forme of Protestation to be used at every Burgh where the Late Proclamation published at Edinburgh the 22d of September, 1638, shall happen to be proclaymed, containinge some reasons against the subscribeing of the Confession, &c. pp. 13.
10. f. 49. Narrative of Proceedings, from 7th Aug. to 26th Sept. 1638, pp. 6½.
11. f. 53. Proclamation of Charles I. discharging the Service Book, 9th Sept. 1638, pp. 2½.
12. f. 55. The Duke of Lenox his Speech before his Maty concerning Warre wth Scotland, pp. 6½.
13. f. 59. Proclamation of Charles I. dissolving the Assembly at Glasgow, 29th Nov. 1638, pp. 66.
14. f. 63. The Protestation of the Generall Assembly of the Church of Scotland, &c. 29th Nov. 1638, pp. 13. (Has been printed.)
15. f. 70. Sentence of Deposition against Mr John Spottiswood, Archbishop of Sanctan.lrois, and the Bishops of Edinburgh, Glasgow, Galloway, Ross, and Brechin, 13th Dec. 1638.
16. f. 71. Sentence, &c. against the Bishop of Dunkeld.
17. f. 72. _____ Cathnes.
18. f. 73. _____ Murray, Orkney, Lefemoir, and the Isles.
19. f. 75. _____ Aberdeen and Dunblane.
20. f. 74. An Index of the principall Acts of the Assembly at Glasgow, 1638, pp. 5.
21. f. 78. Journal of Proceedings in the Session of the Assembly from 21st to 30th Nov. 1638, pp. 5½.
22. f. 81. Supplication of the General Assembly to the King, Nov. 21, 1638, pp. 5.
23. f. 84. An Information to all good Christians, &c. 4th Feb. 1639, pp. 11. (Has been printed.)
24. f. 90. The Marquess Huntlie's Oath to the Covenanters.
25. f. 91. Act of Privy Council held at York, 21st Apr. 1639, for taking the Oath, pp. 2.

26. f. 92. Letter from the Deputy Lieutenants of Co. York to the King, pp. 2.
27. f. 93. Letter from the Lords of the Council at Edinburgh, 19th Apr. 1639, (to E. of Newcastle?) pp. 4.
28. f. 95. Narrative of the Arrival of L^d Aboyne, &c. &c. (Written by one of the Court,) Newcastle, May 10, 1639, pp. 3½.
29. f. 97. Proclamation of Charles I. on going to Berwick, 14th May, 15 Car. I.
30. f. 98. The Copy of his Maj. Attēnt to the Propositions of the Scottish Lords, pp. 2½. (Original draught?)
31. f. 100. The humble Desires of his Ma^{ties} Subjects of Scotland, pp. 1½.
32. f. 101. Supplication of the Scottish Subjects to the King.
33. f. 101^b. The Letters of the Secret Counsell and Session to the Marquess Hamilton, 10 May, 1639. The Marquess's Answer, 11th May, 1639. The Lords Answer to the Marquess.
34. f. 102. Letter from the Scotch Lords to the E. of Newcastle, Edinb. 11 May, 1639, pp. 2.
35. f. 103. Letter from a person in the Army, relating the Conferences with the Scotch Commissioners, Rothes, &c. 13th June, 1639.
36. f. 104. Paper of News from the Camp, 5th June, 1639, pp. 6½.
37. f. 108. Supplication of the Subjects of Scotland (Rothes, &c.) to the King, 6th June, 1639.
The King's Answer: with The Letter of the Scotch Covenantours to the E. of Holland and the rest of the Lords, pp. 2.
38. f. 109. The Gifts [Gefits] of his Ma^{ties} Army.
39. f. 110. A Speech to the Marquess Hamilton, the Kings Commissioner, 9th June, 1638, pp. 2.
40. f. 111. A copy of his Maj. Lre. Patents authorizing the High Commission in England, 13th Dec. 9 Car. I. pp. 47.

There are three more Tracts in the volume, the two first of which relate to the Examination and Execution of Mary Q. of Scots, in 1586; and the third to the Remonstrance presented to the King at Whitehall, 17 June, 1628.

[Mr. Madden was also so obliging as send the tranſcript of No. 10 of the preceeding Lift, from which the following paper is printed. This Article appeared the moſt ſuitable to the preſent work, as ſerving to continue the narrative, nearly to the period of the meeting of the Generall Aſſembly in November 1638.

NARRATIVE OF PROCEEDINGS, from 7th Auguſt to 26th September, 1638.

[MS. Sloan. Mus. Brit. No. 650, fol. 49.]

THE Comiſſioner having promiſed to intercede with his Ma^{tie} for ſuch a free and generall Aſſembly, as that any queſtion or difference concerning the matters to be treated, the members of the Aſſembly, or manner thereof, ſhould be totally remitted and judged by the Aſſembly itſelfe; his Grace received from the Supplicants theire deſires in certaine articles, to the effect aforeſaid, promiſeing to returne againſt the 20th of September with his Ma^{ties} anſwere.

The Supplicants, for the furthering of theire buſineſſe, and to give ſome ſatisfaction to the Gentry of the Kingdome, now impatient of ſo long delay, did vſe all diligence for preparing againſt the Aſſembly in ſending letters throughout the whole kingdome; and inſtructions for direct-

ing the right way of choosing Commissioners to the Assembly according to the lawes, and as had been customable in former free Generall Assemblies, to wit, 3 ministers for each Prelbytery, and one ruling elder, a lord or baron, and one Commissioner for each borrow, and for Edenburg two. And because my Lord Commissioner had desired the Supplicants to make no election till his returne, the elections were only prepared, but no choice of the Commissioners till after the 20th of September, but so soone after as there was no place left, that any impediments could proceed from him.

His Grace returned to Edenburg the 17th of September, being Monday, and brought the newes of a Generall Assembly and Parliament; he did spread the report thereof to content the mindes of the Commons, and to prepare them for accepting the better what he had afterwards to propound.

When the Supplicants came to his Grace, he challenged their preparation for election; but they justified themselves that no Commissioners were yet chosen, and for that they might be chosen before the Assembly was indicted, there wanted not former practise for our warrant.

The Supplicants were at first threatened that the Assembly should be holden at Aberdene, a place inconvenient, both for the situation, standing in a corner of the Kingdome, and to the northward, and because the Ministers and Professors of the Universitie there are vnfound, and the people thereabouts for the most parte more averse to our Covenant then any in Scotland. But findinge the Supplicants would come there with greate numbers, as to a place suspected, the Commissioner changed his resolution.

The Supplicants were at first tryed privately whether they would capitulate and condescend what they would take and give at the Assembly. An absolute discharge of the Service-Booke, Booke of Cannons, and High Comission was offered. That the 5 Articles of Perth Assembly should not be passed; yea, before the Treatie should faile, they should agree to discharge them. That Bishops should be limited as straitely as they pleased, keeping their titles, benefitts, with some few preferments; but should be alwaies censurable by yearly Generall Assemblies; and craved, that the Supplicants should give assurance that they would not desire them totally removed. And to doe something (concerning the Covenant) so displeasing to his Ma^{tie}, eyther by changinge some parts thereof which did most displease his Ma^{tie}, or to render some parte of it for his consent. But when he found the Supplicants ingeniously profess they neyther could or would agree to prelimit the Assembly for such reasons as you receive the copies of, neyther would they never passe from one jotte of that Covenant, then did the Commissioner resolve to proceed and declare his Ma^{ties} minde in publique by way of Proclamation. But hearinge the Supplicants would use a Protestation against it, if there were any thing contained in the Proclamation prejudiciall to our cause, all means were used for such an accomodation as might dissuade the Supplicants from urging any Protestation; pretending as a special reason, that the Kings Ma^{tie} had conceived a very hard opinion of the Supplicants here. And they being grieved vnder so heauey burthens this time passed. But now his Ma^{tie} granting so many of their desires, if the same could thankfully and heartily be accepted, would prove speciall meanes to reconcile his Ma^{ties} heart to them, and renew the peoples affection to his Ma^{tie}; all which a Protestation would hinder, it being alwaies a signification that the Subjects had not received a full satisfaction, and keepe the Comons still vnder the fence of the want of some of their iust desires. This Treatie of accomodation did not succeed, because the Commissioner framed the Proclamation of such things as necessitate a Protestation.

Vpon the 21st of September, the Commissioner propounded vnto the Lords of the Privy Coun-

cel, that he had procured from his Ma^{tie} a warrant vnto them for subſcribing that Confeſſion of Faith which was formed in anno 1581; ſubſcribed by his Ma^{ties} Father, and the whole Eſtates of the laud; thinking, that ſince they could not get our Covenant reſigned nor altered, they would renew that which is not ſo large as ours, and haueing his Ma^{ties} authoritie therevnto, together with the Councells; ſubſcription might be conceived would abſorbe and put in oblivion our new Covenant. The Lords of the Councell liked well the motion, and reſolved the next day to ſubſcribe the ſame.

Vpon the 22d day the Supplicants came to my Lord Commiſſioner and the Lords of the Privy Counſell, and there at counſell table humbly deſired their Lordſhips to forbear their Subſcription of their Confeſſion only for 2 daies; offering, within ſome few houres, to preſent ſuch reaſons to their conſiderations, as might wholly induce them to deſiſt from ſubſcribing that Confeſſion; and offered that, in ſhort time, they would preſent them with a Confeſſion which all might lawfully ſubſcribe vnto, which would prove the beſt meanes to amend the preſent breach, and to beget vnitie againe; but they denied this delay. And notwithstanding many preſent reaſons were propounded by the Supplicants for their not ſubſcribing that Confeſſion, alwaies rejected; and the Supplicants were answered with his Ma^{ties} command to their Lordſhips and their reſolution to give obedience to him. The Supplicants departing, the Heraulds were ſent to the Market Croſſe of Edenburg; and the Supplicants there preſent, being a conſiderable number of the nobilitie, with ſome few of the gentry, borroughes, and miniſters aſcended a ſtage reared vp hard by the Croſſe to answer the Proclamation with their Proteſtation. The heads of the Proclamation were theſe, firſt, A diſcharge of Cannons, Service booke, and High Commiſſion, and all Acts made in favour of them or any of them. 2dly, They declared, that none of the ſubjects ſhould be exempted from the cenſure of ordinary judicatories, civill or eccleſiaſticall. And this did proceed from the Supplicants complaints to his Ma^{tie}, that the Biſhops were ſubject to cenſure. 3dly, That no oath ſhould be exacted of miniſters in their entrance but that which was contained in the Act of Parliament 1620. By this Acte they are appointed to ſwear obedience to their ordinary the Biſhop of their dioceſſe. 4thly, Declaring his Ma^{ties} pleaſure, that all the ſubjects ſhould ſubſcribe that Confeſſion of Faith ſubſcribed by the Counſell. 5thly, His Ma^{tie} gave a pardon to all his ſubjects for their overſights, providing in time coming they ſhould be obedient, eſpecially in ſubſcribing the Covenant. 6thly, A free Generall Aſſembly was proclaymed to be holden at Glaſgow on the 20th of November next, and a Parliament at Edenburg in the month of May next following. The Heraulds read the Confeſſion of Faith which the Counſell had ſubſcribed, with an Act of Counſell, appointing the whole leiges to ſubſcribe the ſame; he read alſo the Generall bond appointed by the Lords of the Counſell, and an Acte of Counſell for the indiction of the Aſſembly, and another for the Parliament.

There after the Proteſtation was made, which answered fully all the particulars of the Proclamation wherein the ſubjects were not ſatisfied, (this Proteſtation is not as yet come forth in print,) becauſe the Proclamation muſt precede; which the Commiſſioner taking courſe to have ſoe ſpeedily conveyed through the country that all the ſubjects might be preſſed with ſubſcription; for the better effecting whereof many of the Lords of the Counſell are appointed to goe with the ſame for obtaining the Subjects' ſubſcription therevnto. The Supplicants have ſent a compend of their Proteſtation to each borrough, where the Proclamations may be read to be ſed in the like manner; whereof receive a copie, with certain Reaſons why none that have ſubſcribed our late Covenant ought to receive this politique Confeſſion, wherein it is to be feared (though

not as yet) many of the Counsell have played with Religion to please the King. The Lord open their eyes, that they may speedily perceive and repent of their error! The Supplicants all takes course to goe through the whole kingdome to impd the people from subscribing that their Confession, least unawares they should fall with them into the like danger, and hereby to obviate that deepe plot against the union hitherto observed by the Supplicants, which we hope shall prove as ineffectual as their former practices of that kinde have done.

Hitherto we have found the Lords gracious presence going along with vs, turninge the counsell of his and our enemies vnto foolishnesse; and, in this particular, it is to be observed, that whereas their purpose was to subscribe that Confession, thereby to work division among the Supplicants and overthrow our late Covenant. It is like to bring forth the direct contrary effects; because our people directly refuses to subscribe that of theirs, seriously protesting against the same. And whereas before some evasion appeared by interpreting of this their oath and subscription to be for maintenance of the present doctrine and discipline of the Church; now the Councillors, after much debate amongst themselves, have professed, by their Acte of Counsell, that they vnderstand the doctrine and discipline, &c. therein contained, according as it was professed at first making thereof, anno 1581; whereby the wisest amongst them conceive that they have now abiured the Hierarchy, Crossing, Kneeling, Saints festivall dayes, with all innovations since that time. And that henceforth it will be no more lawfull for them to consent unto or practise the same, no not in England. And thus it appeares the Lord hath taken them in their owne snare. Thus have you the summe of our Proceedings from the 7th of August till the 26th of September 1638.

NO. IV.—ADDITIONAL NOTICES CONCERNING JOHN EARL OF ROTHES.

A FEW detached notices respecting the Author of this work, in addition to those mentioned in the Preliminary Notice, will conclude this Appendix.—John Earl of Rothes was the son of James Master of Rothes, by his second wife, Catherine, daughter of Patrick Lord Drummond, and was born in the year 1600. In 1621, he was one of the few Noblemen who had the courage to oppose the Act of Confirmation of the Perth Articles, which were imposed on the people of Scotland in the most arbitrary manner. (Calderwood's History, p. 780; and see the account of these obnoxious Articles, given by Dr. Cook in his History of the Church, ii. 286-300.) On other occasions, Lord Rothes also took an active part in opposing the measures of the Court; as, for instance, in 1626, when he was one of the Commissioners sent to England with a Petition, at which Charles the First is said to have "storm'd, as if too high a strain for Subjects and Petitioners." (See Balfour's Annals, ii. 153.) His conduct in the Parliament, June 1633, when, in the King's presence, he ventured to challenge the state of the votes, is well known. Clarendon says, that, after this, Charles was so highly offended with Rothes he would not speak to him; and the

King, in his progress to Falkland Palace, in July, is said purposely to have changed his route, to avoid the gentlemen of Fife, who were collected by the Earl of Rothes for his reception. Bishop Guthrie seems to refer to some other cause of dislike, in consequence of a Petition for the redress of grievances, which had been privately presented by his Lordship. At the Coronation, however, of Charles I., at Edinburgh, 28th June, 1633, the Earl of Rothes carried the Sceptre. (Balfour's Annals, ii. 201.)

Respecting the subsequent history of Lord Rothes, the present Work sufficiently explains his conduct in 1637 and 1638; and it would require too much space to enter upon any particulars regarding the very active share he had in public affairs from the time of the General Assembly at Glasgow, in November 1638, till the conclusion of the Treaty at Rippon, &c., in June 1641. Various public Letters, written by him during that period, are contained in Mr. Thomson's edition of the Acts of Parliament, (Acts 1641, vol. v.); in Balcanquhall's Large Declaration, 1639; in Bailie's Letters and Journals; in Balfour's Annals; in Burnet's Lives of the Dukes of Hamilton; and in different MS. Collections. In Hardwicke's State Papers, ii. 130-9, is printed an interesting account of a conference which was held between the King and Rothes and the other Scottish Commissioners, in the tent of the Lord General, 11th June, 1639; and a folio MS. in the College Library of Edinburgh, contains the Letters and Proceedings of the Commissioners and Committee of Estates of Scotland, from August 1640, to June 1641.

Among the Harleian MSS. 1219. No. 111, is the copy of a Letter from Lord Rothes to the Earl of Pembroke, then Lord Chamberlain, dated from Edinburgh, 29th January 1639-40, wherein "he threatens the English Nation with war, if the Hierarchy of the Church was not new-molded, to the minds of the Scottish Commissioners." (Catal. Harl. MSS. vol. i.) A copy of the Answer to that Letter by the Lord Chamberlain, dated 8th March 1639-40, is contained in the same volume. The following Letter by the Earl of Rothes (the envelope of which has been lost,) is evidently the reply to Lord Pembroke's Answer, and is here printed, as it vindicates the proceedings of the Supplicants. The transcript made from the original, in the Ashmole Library, Oxford, was obligingly communicated by Charles K. Sharpe, Esq.

MY LORD,

By your letter the eight of March, directed to me from Secretarie Windbanks, you are pleased to allow me the favour of expostulating with you, from the reason of your civilities and good respects to me and this nation, expressed at the Campe: but you return my inference injured and much mistaken. This construction, differing much from that you had of these things at the Campe, makes me with continued constancy to believe the frame of this hath not proceeded from you or any of yours; but from some cunning spitefull and jesuited Sectarie, who laboureth to kindle enimitie betwixt those of the two nations. I shall heere but shortly touch what passed there, for clearing that our designs were open, not masked, tending ever to the great good of both nations, and my whole expressions and proceedings were plain, just, and free from sophistrie. I shew your Lordship that alterations on our religion being pressed by certaine Prelats, wee were

forced, as Christians and Patriots, from the sense of our dutie to God, our King, and our countrie, to resist the same, which wee did by no other meanes than many Supplications to his Majestie. But our often-repeated desires and humble petitions for a Parliament and nationall Assemblie, to cure these evils, could obtaine no other answer then publick threatnings to shed rivers of our blood; and at last, a greate armie, comming against us, forced us to appeare for our owne defence. Yow did then professe that yow were all made to believe wee were comming to invade England, and that we had cast away all respect to authoritie and lawes; but being trulie informed, and after we had shewn that many calumnies were suggested of us and our proceedings, both by discourses and by that Large Declaration, wrongfullie usurping his Majesties Name, yow did then regrave the expence of so much time and meanes to both nations, rested satisfised with our relation, did mediat earnestlie for peace, and promised to myself and others to doe so, for afterwards, if any mistake were again like to arise, desiring me to write frequentlie to yow that yow might know the truth, and be the more able to doe goode. Your noble and just disposition at that time, with your commendment to me, moved my letter, little expecting to have rencountered with such facilitie, or the change of so right a resolution as your Lordship had then, which made me confident you should never have believed that wicked, false, and seditious relation from my Lord Traquare, to the prejudice of a whole nation convened in Parliament. I might justlie have expected yow should have craved surer Information, and beene earnest for the delay of so hard a conclusion till yow had received the same. Your Lordship was tyed to believe us still loyall and goode subjects, till yow had found a reall breach, all parties being heard. Wee having promised, professed, and trulie evidenced so much to yow at the Campe, and yow having acknowledged so much there, makes me think nothing of that letter yours but the subscription, which doth move me to forbear such an answer to you as these bitter reproaches doe deserve. But shortlie to touch the particulars; I did not upbraid nor expresse one disrespectfull word in my letter to your Lordship, nor say any thing but what was fit to be heard and considered by men of sound braines, of good conscience, and understanding of their dutie to God and their King; nor did I threaten, but onlie represent the undeniable mischiefe that a warre betwixt the two nations would produce, which we shall always decline, and wee doe hope the like from yow. Our Commissioners can instance our sufferings since we parted at the Campe, and speciallie from these that have misinformed of us, wherewith we comported for shewing his Majesties mistake of us. The letter beareth, our Religion is believed to be wofull, it may be the writer thinks it so, for he may perhaps be of another; and the Subscriber hath beene unadvised in overlooking such an injurious expression. It teacheth us all the Christian dutie to Kings, and will preserve from woe all that embrace it. I may still say the question is speciallie for Prelats. My Lord Traquare hath many times, and to many persons, declared (since he assented to abolish them as his Majesties Commissioner), that we might have peace if we would accept them, which were indeed against the lawes of our Church. Where yow think it dangerous to keep correspondence with me, I did write the last time at your owne desire, and for a good end; and doe not desire to entertaine it any more in other terms, but will maintaine with my life against any. Yow can not keep it with one that is more free of sophistrie or masked designs; and for the intelligence you give me of your conclusion of warre, I hope neither the Counsell nor Parliament of England will intend or prosecute such a conclusion against us, seeing there neither is, nor will any such occasion be given by us.

And as for the interchange you offer, My Lord, you shall know I will not quite my Covenant for the friendship of any man alive. I value it more than a kingdome; and the motion is no less irrel-

gious than undutifull to your Maister, since our Covenant is for God and our King, was first allowed by his Majesties Father of blessed memorie, and now in the last Assemblies by his Majesties Commissionar, the Erle of Traquare, and subscribed by him, who repeated his Majesties Warrant thereto many times, in face of the Assembly. When you shall value your friendship at the just rate, and your friends in the way yow ought, I shall be easlie regained to be

Your friend,

Leffie, the 2 of Aprile, 1640.

ROTHES.

The residence of Rothés in London, during the Summer of 1641, and his intercourse with his Majesty, appear to have had some influence in changing his views, and subjecting him to the suspicions of his countrymen. Baillie, in two letters written 2d June, 1641, refers to the current rumours of the prospect of Rothés being appointed one of the Lords of the Bed-chamber, and of his marriage with a rich English lady. Thus, to Lord Montgomery he says, "For the present, your Good-father is a great courteour: if it hold, he is lyke to be first both with King and Queen; bot fundry thinks it so sudden and so great a change that it cannot hold." And to his Wife he writes, from Gravesend, as follows:

"Shew to my Lady [Montgomery], and to her only, that my Lord, her Father, is lyke to change all the Court; that the King and Queen begin much to affect him; and if they goe on, he is lyke to be the greatest courteour either of Scotts or English. Lykelie he will take a place in the Bed-chamber, and be little more a Scottish man. If he please, as it seems he inclynes, he may have my Lady Devonshyre, a very wife lady, with 4000 pounds Sterling a-year. The wind now blows fair in his topsaile. I wish it may long continue; but all things here are very changeable.

"Thy owne, R. BAILLIE."

The following Letter evidently alludes to these rumours, and the Postscript shows his great anxiety to keep on good terms with his old friends. It is addressed to Johnstone of Wariston, afterwards Lord Clerk Register, and one of the Lords of Session (See Notes to Lord Hailes' Catalogue), whose unwearied diligence and enthusiasm with regard to the affairs of the Church are well known. The letter is here printed from the original, in the Advocates' Library, Fol. MSS. lxvi. No. 94.

WORTHIE FRIEND,

MY Lord Loudoun is to take journey homeward upon Monday, who is to receive some particular Instructions from his Ma^{tie}, and I beleve he will desire yow not to doe that w^{ch} may make his dealing ineffectual; and therefore yow may keep up your worst against Tracquir till yow speake wth his L^p. We have had hard work with the King: Loudoun will acquaint yow with the particulars. If there be any mistakes of the cariage of my Lord Loudoun or me, or any of your friends here, yow will informe the truth according to your knowledge, w^{ch} is the desire of

Your affectionat friend,

London, 25 Junij, 1641.

ROTHES.

[*Postscript.*] LOWDON comes not away till Munday. As for my busines, I hav intrusted to yow to prepar the Erl Argyll and Balmerinloch; for if I defer to accept the place, tymes ar uncertain and dispositions: if Argyll and Balmerinloch be pleased, then ye may labour to mov Lothian and

Lindsay. Signify how itt was the Marquesse Hamilton, Erl Roxbragh, and Will Maraye, ther motion to me from ther fence of the good of the kingdom, and that I sufferd them to work in itt. Itt is trew itt is notheng within that kingdoom, and so am not lyabli to the Letter wryten to us not to accept benefits, which can only be meant within the kingdoom; yet, I desyr never to be in a condition my Comerads shall not aprove, nor to be in a better condition then they shall wishe me. I hop, in his mercy, that his honour shall be ever befor my eyes, abov all things, and shall mak his service my cheiff endeavor. Let me heir from you with the first occasion. Wryt your opinion frely to me, and iff they hav any exceptions att me, let me know itt; for, on my honour, I have not deferved evell att ther hands, nor failed in any jot of my deuty, to my knowledg; bot this [is] an adg [age] of unjust censuring.

[*Addressed*] For my Loving Friend, Mr Archibald Jonstone, This.

A pension for life of 10,000 pounds Scots had been settled on Rothes, and was confirmed by the Parliament of Scotland, in August, 1641. (Acts, v. 587.) That he intended to have accompanied the King to Scotland in August seems very evident; but premature death put an end to all his prospects, and perhaps saved him from the disgrace of apostacy. "It is certain (says Lord Clarendon, speaking of the Earl of Rothes) the King expected, by his help and interest, to have found such a party in Scotland as would have been more tender of his honour than they afterwards expressed themselves; and did always impute the failing thereof to the absence of that Earl, who being sick at the King's going from London, within six weeks after died." The following passage from the same Historian, being one of those which were suppressed, but have been restored in the late edition of the History, is interesting, as shewing his usual sagacity and happiness in delineating the portraits of his contemporaries, and as throwing light on the character of our Author:

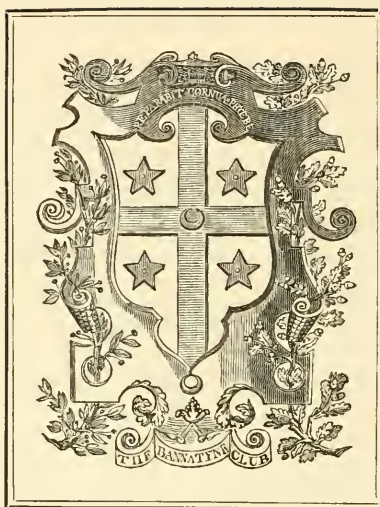
THERE was another accident happened a little before, of which the indisposition in Scotland was the effect, the death of the EARL OF ROTHES; a man mentioned before, of the highest authority in the contriving and carrying on the rebellion in Scotland, and now the principal Commissioner in England, and exceedingly courted by all the party which governed. Whether he found that he had raised a spirit that would not be so easily conjured down again, and yet would not be as entirely governed by him as it had been; or whether he desired from the beginning only to mend his own fortune, or was converted in his judgment that the action he was engaged in was not warrantable, certain it is, that he had not been long in England before he liked both the Kingdom and the Court so well, that he was not willing to part with either. *He was of a pleasant and jovial humour, without any of those constraints which the formality of that time made that party subject themselves to;* and he played his game so dexterously, that he was well assured, upon a fair composition, that the Scots army should return home well paid, and that they should be contented with the mischief they had already done, without fomenting the distempers in England. He was to marry a noble Lady of a great and ample fortune and wealth, and should likewise be made a Gentleman of the King's bed-chamber, and a Privy counsellor; and upon these advantages made his condition in this kingdom as pleasant as he could; and, in order thereunto, he resolved to preserve the King's power as high as he could in all his dominions. When any extraordinary accidents attend those private contracts, men naturally are very free in their censures,

and so his sudden falling into a sickness, and from a great vigour of body, in the flower of his age, (for he was little more than thirty, [forty]) into a weakness which was not usual, nor could the physicians discover the ground of it, administered much occasion of discourse, and that his countrymen too soon discovered his conversion. He was not able to attend upon his Majesty to Scotland, where he was to have acted a great part; but he hoped to have been able to have followed him thither. His weakness increased so fast, that by the time the King was entered that kingdom, the Earl died at Richmond, whither he retired for the benefit of the air; and his death put an end to all hopes of good quarter with that nation, and made him submit to all the uneasy and intolerable conditions there they could impose upon him.

Those who may wish to see what the busy tongue of scandal said respecting the cause of his Lordship's death, may refer to Archbishop Laud's History, page 181. See also Mr. Sharpe's Note upon Kirkton's History, page 165. But the preceding statement by the Earl of Clarendon is more than sufficient to set at rest the calumnies of Laud. Lord Rothes died at Richmond upon Thames, in the house of his Aunt the Countess of Roxburgh, upon the 23d of August, 1641. This appears from "the Testament dative, &c." which is recorded in the Register of Confirmed Testaments, March 1644. The Inventory of his property was then given in by "Alex^r. Earle of Levine, Generall of the Scottis armie, and Sir John Lefly of Newtounne, one of the Lordis of Counsaill and Session," tutors testamentary in behalf of his Son, then a minor. It amounted (including "the debtis awing to the deid,") to L.55,283, 8s. 8d. Scots.

His body was probably brought to Scotland, and interred in the family vault at Leslie. The following entry occurs in the Household Book of Lady Mary Stewart:—"27th October, 1641. Spent by my Lord Buchan, as he went to the Earle of Rothes' buriall, L.39 : 0 : 0 [Scots]."

It only remains to add, that the Parliament of Scotland, 22d September, 1641, passed an Act, upon "the petition and desyre of John, now Earl of Rothes, and his tutors," Exonerating his Father, the unquhile John Earl of Rothes, "in his haill actionnes and cariage" as one of the Commissioners in the Treaty betwixt the King's Majesty and his Subjects of Scotland; and "Declairing, that the said vniq^{ll} JOHNE "ERLL OF ROTHES hathe, in all uprightnes, wisdome, diligens, and faithfulness, "walkit worthie of so great trust as was committed to him in the foirsaid imploy- "ment: And thairfore his Majestie and Estattis of Parliament doe not onlie liberat "and exoner him of the foirsaid charge and commissioun, and of all questionne or "challenge that can be layid to him or the said Johnne, now Erll of Rothes, his "sone; Bot also do adde vnto that Testimonie whiche trew worthe, and the conscience "of well-doing, hathe in it selfe, thair Publiet Approbationne; AND DOE HONOUR "THE SAID vniq^{ll} ERLL OF ROTHES WITH THIS THAIR NATIONALL TESTIMONIE, "THAT HE HATHE DESERVED WEILL OF THE PUBLICK, AS A LOYALL SUBJECT TO "THE KING, A FAITHFULL SERVAND TO THE ESTAITTIS OF PARLIAMENT, AND A "TREW PATRIOT TO HIS COUNTRIE."



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